

BOARD OF MAYOR
AND COMMISSIONERS

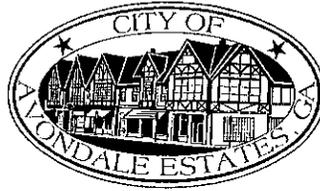
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CITY ATTORNEY

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CITY JUDGE

BOARD OF MAYOR AND COMMISSIONERS
WORK SESSION
January 20, 2016
5:30 p.m.

MINUTES

Members Present: Jonathan Elmore, Mayor
Terry Giager, Mayor Pro Tem
Brian Fisher, Commissioner Elect
Adela Yelton, Commissioner Elect

Staff Present: Clai Brown, City Manager
Gina Hill, City Clerk
Gary Broden, Police Chief
Paul Conroy, Police Officer
Oscar Griffin, Public Works Director
Keri Stevens, City Planner

Item No. 1 Meeting Called to Order at 5:30 p.m. by Mayor Elmore

Item No. 2 Adoption of Agenda
Mayor Pro Tem Giager moves to adopt agenda. Commissioner Fisher seconds.

Item No. 3 Annexation – Feasibility Study

Kris Sikes, Carl Vinson Institute of Government: In annexation studies it's important to know what we are addressing and what we're not. Here we looked at estimated revenue and estimated expenditures needed to provide services for the study area. We use different methods to estimate this. We used 2014 data because we need a full year of data to look at. When we started the study back in the fall, we didn't have data from 2015 to work with. The study is just a tool for the decision makers. It is not a budget. The study is not a way to saying this is what the city is going to spend. It's just an estimate.

It also does not take into account any other factors, such as social. There were two different areas I was asked to look at so I did two separate studies. The population in the first study area is 461 people. The 40% assessed property value in those areas for commercial industrial is just over \$10 million and the residential is just over \$12 million. So you're looking at an additional tax base of \$23 million.

City Manager Brown: Just to clarify, the north side is Rio Circle. The northeast is the Rockbridge area, including the American Legion and the middle school. Down south is Avondale High School and the Sherwin Williams paint store.

Kris Sikes: I was asked to look at a second study area. It has some overlap but I did them both independently. The commercial/industrial value in that study area is \$4 million and the residential property value is almost \$54 million. The tax base under that scenario is \$58 million. The methodology I used, I have actual revenue for the City of Avondale Estates in 2014. We take all that revenue and take proxy measures to figure out how much revenue should be allocated to the study areas. For expenditures, we do two different methods. For one, we use a department-specific unit of measure. We just take the budget for a department and take a measure that applies to that department. For example, for the police department, we used parcels and figured out what the police spent per parcel. We extrapolated the expense per parcel to get the expense for the study area. The second method, the case study method, is where we go through the budget line by line with the department head. We would ask them, to the best of their experience, what increase would they expect with any particular item. It's just two different ways to give you a range of what expected expenses could be.

City Manager Brown: Another unit of measure, for the public works department, is road mileage.

Kris Sikes: Correct. The unit of measure was specific for that department.

City Manager Brown: Also, with regards to method two, all the department supervisors were interviewed along with myself, Finance Director Ken Turner, and Marcella Shaw, the Court Clerk.

Kris Sikes: Yes, they had to go over their budgets line by line and I appreciate their time. The first category of revenue in the annexation areas is property taxes. A caveat here is that we had to use 2014 data and in that year your millage rate was 10.957 and now your millage rate is lower. The LMIG is the local maintenance improvement grant. That's the revenue you get for roads. It's based on lane miles and population. Another caveat is the HOST, the Homestead Options Sales Tax. It is something that Dekalb County decides on a year-to-year basis how much they will give back in HOST funds and they set a factor. Generally, it's they can set up a 20% factor for capital. That's what they have done the past few years. That could change at any time. It is also dependent on the number of municipalities in the county. So the more cities there are in the county, the more each city's share will go down. When we looked at the general fund revenues in the first study area, we found that area would generate an extra \$468 thousand for the City of Avondale Estates. The expenditures required under the department-specific method based on the same general level of services will be \$166 thousand. The extra revenue from this annexation could be expected to be about \$300 thousand under that scenario. The case study method

where we went line by line with all the department heads showed that they thought their expenditures would be about \$200 thousand. That would still leave an excess of \$263 thousand in annexation area one, the first study area. Then looking at the second study area, the revenue generated was \$1,277,000. There wouldn't be a lot of expenses with that study area because you have so many fixed costs here that would not have to increase, such as city administration. The total expenses for the department specific method with this area would be \$445,000. That would give you excess revenue of \$842,000. Under the case study method where we talked to the department heads, the extra expenses were \$455,000. That would still give an excess of \$822,000. Basically, what the feasibility study shows is that under either scenario, there will likely be excess revenue.

Lisa Shortell/6 Clarendon Pl: You mentioned at the beginning there were 460 people in area one. How many are in study area two?

Kris Sikes: 2,040.

Unknown Resident: What does zero administration mean?

Kris Sikes: It means extra administrative costs. You already have an administrative staff so there are some large expenses that won't have to increase if you annex under either scenario, really.

Joe Anziano/3242 Wiltshire Dr: If extra police staff or new police cars are needed, are those numbers included in the study?

Kris Sikes: There's a difference between general fund and enterprise fund. All the police are in the general fund. A garbage truck would be in the enterprise fund because those funds are treated differently. This study is just general fund numbers. Enterprise funds by definition are supposed to be self-funding. The fees should cover expenses.

Commissioner Fisher: Does the study include Rio Circle in map two?

Kris Sikes: No. We took each parcel exactly from the maps and sent them to the tax assessor's office to get the property tax records for each parcel.

City Manager Brown: Considering all the revenue streams, it would be about \$150-\$200 thousand more if you add Rio Circle and the Sherwin-Williams back into that map.

Commissioner Yelton: In the study areas, we're increasing population, especially map two. Can City staff really serve a population increase of 2,400 people. If yes, then are we operating at excess capacity? Did you get into detail like how do you spend your time, how many calls do you answer?

Kris Sikes: No, we didn't get into that type of detail.

City Manager Brown: We wouldn't know the impact until after annexation.

Commissioner Yelton: Could you extrapolate that out?

Kris Sikes: That is a fair thing to ask. I agree with what City Manager Brown said. Also, it's hard to know at what point the City would add another person.

Commissioner Fisher: The study says you don't anticipate any first year costs. What would some of those costs be?

Kris Sikes: You won't have any taxes from prior years. It's assuming everything is status quo as far as the number of employees.

Commissioner Fisher: Most of the City's money comes from real estate taxes that would be in August and November. So there would be some upfront cost if the City had to hire people.

Kris Sikes: I'm not sure if this is unique, but the way the City does things, you go ahead and buy things ahead of time. Instead, many cities buy things on credit and pay it off over time. That's good. It just makes this look different from other annexation studies. Your numbers look a lot cleaner.

Commissioner Yelton: You mentioned enterprise funds and that they cover things that are supposed to be self-funding, such as sanitation and stormwater. Is that true for Avondale Estates?

City Manager Brown: Yes.

Commissioner Yelton: If we looked at the areas we're interested in annexing, would they have a stormwater reserve fund?

Commissioner Fisher: You would have to start at zero and build up.

Mayor Elmore: The liability goes down over time as the fund builds up.

Commissioner Yelton: Couldn't that be a fiscal impact?

Kris Sikes: It could if you have something happen you have to pay a lot for. It's hard to know. The way these annexation studies are used, the legislature looks at them and expects a certain style and format and methodology. They look at enterprise funds as being self-funded. You can just adjust the rate you charge at any time, up or down. The legislature sees it as something that can be easily fixed through the fees. Therefore, they don't look into it very deeply.

Joe Anziano/3242 Wiltshire Dr: On some of the last pages, the charts show the kind of revenue we can expect. Then below that there is a table with some red figures. Are the red figures already calculated in the tables above that or would they be further deductions?

Kris Sikes: Those are enterprise funds and not in the general fund.

City Manager Brown: An example would be, if those numbers came about and there was \$42,000 in the red, the City would have to transfer \$42,000 from the general fund to cover that.

Joe Anziano/3242 Wiltshire Dr: Is that for one year?

City Manager Brown: Correct. Then the fees could be adjusted or the City could continue to subsidize from the general fund. Before 2008, the City didn't even have a sanitation enterprise fund. At that time, the City was subsidizing it in the range of \$300-\$400 thousand per year. A couple of years ago, the fees went up and it has been self-sufficient since.

Kris Sikes: In doing the study, I tried to think of everything you would need. I even added trash cans. But this is not a budget. It's an estimate.

John Ellingson/78 Clarendon Ave: Is there a study that does not include Rio Circle?

City Manager Brown: Yes, study area one includes Rio Circle. Study area two does not.

Mayor Pro Tem Giager: The study results were what we expected. The City did a good job of looking at the numbers last year. This did include things we didn't look at because we wanted to keep it conservative. So we didn't look at franchise fees, for example. We walked the streets and looked at repairs that were needed. Annexation will be advantageous fiscally and not a detriment to the City. I think the study is well done. I like the two methodologies used and the 2014 numbers. It was very informative and I learned some things. I just want to thank Dr. Sikes and her team.

Commissioner Yelton: Dr. Sikes, when you look at other cities, do you ever look at numbers for more than one year?

Kris Sikes: No. A lot of it has to do with what the legislature expects to see. It's always a snapshot of the latest actuals.

Commissioner Yelton: Did you look at the crime statistics of the study areas at all?

Kris Sikes: No, not specifically. I just talked to Chief Broden about his knowledge of the area and what he thought he would need if it was annexed.

Commissioner Yelton: Thank you for putting this together. I know you were working on a short turnaround time frame.

Commissioner Fisher: I think it was a good study and a good step for us to take. I think the BOMC and City staff did good work last year but I think having someone from the outside take a look at this was good. When thinking about annexing an area, the first question should be if it is financially viable or not. I like the different variables you added in there.

Mayor Elmore: It should be pretty easily to take out the overlap if you decided to combine study areas.

Commissioner Fisher: I think the only thing you would add or take out is the Sherwin Williams and Rio Circle.

David Mattingly/6 Coventry Close: We were told the goal of annexation was to increase the diversity of business to residential. Why are we still looking at neighborhoods to the west of us when they are all residential?

Mayor Elmore: The goal was really to balance revenue. But we didn't know and we wanted to see what the difference was. And this study illuminated that greatly. This was not what I expected.

Commissioner Fisher: I think you're right that we need more commercial but the bill in front of the legislature right now is only residential. The Board wanted to see if what was there in the bill right now was financially viable.

David Mattingly/6 Coventry Close: The map that included Rio Circle is not the map currently before the legislature?

Commissioner Fisher: It was part of the original one but they came back to us at the end of the session and had excluded the commercial areas.

Mayor Elmore: Study map two is what the previous annexation map looks like now. Once they stripped out the commercial, this is what was left.

David Mattingly/6 Coventry Close: Is it the City's intention to continue to seek Rio Circle?

Mayor Elmore: Yes. We haven't decided it but I would say you would want to include the commercial. There will be more meetings on this specific subject.

Candace Jones/9 Fairfield Dr: If our annual budget is about \$3,000,000 per year and we have about 3,000 residents then we're spending about \$1,000 per resident.

Commissioner Fisher: Our budget is a zero sum budget so we're not spending more than we're taking in.

Candace Jones/9 Fairfield Dr: If we annex 2,000 more people, that means we would need \$2,000,000.

Mayor Pro Tem Giager: No. We already have administrative expenses covered.

Candace Jones/9 Fairfield Dr: You're assuming there are a lot of fixed costs that are not going to change. The figures in the study fall short if we are running on \$1,000 per resident. These areas may have poor infrastructure, no green space. There's a gap here in revenue of \$400,000 versus \$2 million. There's an assumption that costs are not going to go up and services are not going to decline.

Mayor Elmore: You do bring up things that are not accounted for like greenspace and infrastructure liability. But the methodology they used is a fairly thorough one. Saying it's \$1,000 per person doesn't extrapolate linearly.

Candace Jones/9 Fairfield Dr: Not completely but it is something for us to think about.

Mayor Elmore: This is the best snapshot we're going to get and it's based on sophisticated methods but you do bring up some good points that need to be talked about but I don't necessarily agree with that linear logic.

City Manager Brown: One example is our parks and recreation department that has six associates in it. They wouldn't be used in the study areas because there's no additional greenspace. They might be used to help out sanitation if someone calls in sick but otherwise there won't be anything for them to do over there. The same situation would occur with administrative staff.

Candace Jones/9 Fairfield Dr: I think it's a weak assumption that we won't have to increase staff if we increase our population by almost 60%. That doesn't even include the numbers in the proposed Euramex development.

Commissioner Yelton: I think those calculations seem quick and easy but it all comes down to fixed and variable costs.

Kris Sikes: Please remember, this is not a budget. It's just what might be expected.

City Manager Brown: The study was very thorough. There was also enough revenue that if the City had to add additional resources, it could, based on this study.

Commissioner Fisher: What was surprising to me was that one of the reasons we did study area number two was so that we could take it before the legislature to show them that it wasn't viable. I think that surprised all of us.

Mayor Pro Tem Giager: With more residential you increase the area and there is more liability on infrastructure. That's something the walk-throughs helped on the study we did. When I look at the area and infrastructure involved it worries me.

Commissioner Yelton: I agree. It's unknown and a risk.

Mayor Elmore: In the study last year, was risk assessed in any way with regards to Forrest Hill, Rio Circle, or Rockbridge?

City Manager Brown: No but where the risk lies is underground.

Mayor Elmore: Dr. Sikes, how do you evaluate this type of risk for other studies?

Kris Sikes: We use the same methodology but it's up to the officials to decide if they have enough money in their budget to mitigate those risks.

Lisa Shortell/6 Clarendon Place: It seems like you always hear other community leaders say residential annexation is a wash. I know the study doesn't show that but others say that probably because of all those other things we're talking about. There also seems to come back a good ratio of business to residential. I support the BOMC in an effort to balance business and residential. There are so many unknowns.

John Ellingson/78 Clarendon Ave: I heard that Atlanta was trying to annex the Sherwin-Williams.

City Manager Brown: The map I saw went up Memorial Drive to Hooper Elementary.

Mayor Elmore: There was a new annexation bill introduced by Howard Mosby and up until a few days ago it did not have a map. But the map includes Forrest Hills, Midway, Katie Kerr, and more. I'm not sure what the motivation is and even he acknowledged it was a little fuzzy around the edges.

Commissioner Yelton: I think the stated intention was to clarify 9-1-1 boundaries.

Mayor Elmore: It seems like there would be a better way to do that.

City Manager Brown: 9-1-1 isn't having any issues around our borders.

Michael Payne/26 Exeter Rd: Is anyone going to look at residential real estate value in these areas compared to existing Avondale Estates? It doesn't take an expert to see there's a significant difference in home prices. How would that affect the appraisals of current residents' homes? There are also no amenities and no greenspace.

Mayor Elmore: That's a good question. Board, where do we go from here? When do we start addressing these issues?

City Manager Brown: The Board needs to decide if it wants to move forward with the annexation. If that's the case, what will the map look like? Then do a resolution and submit that to Representative Karla Drenner to see if she supports it. If so, she will create a new bill. But the session started January 11th and they are moving quickly due to the elections coming up.

Mayor Elmore: What would be next as far as public hearings are concerned?

City Manager Brown: You can have a meeting just about annexation.

Michael Payne/26 Exeter Rd: I find the areas like Forrest Hills, Katie Kerr, and Decatur Terrace significantly different from Avondale Estates. I was here when Majestic Acres and Avonwood were annexed. Majestic Acres has a very open footprint to Avondale Estates. I grew up with the kids there too. There was social interaction. The same goes for Avonwood. I don't feel the same about those other areas. If those areas wanted to be part of Avondale, they should have approached us a long time ago. Avondale was a planned community. Those areas are also zoned single family and we can't change that. It likely won't be developed beyond that. I don't think there's a risk of Atlanta or anyone else getting those areas and doing something that's adverse. Let's ask for the commercial. If we don't get it, so be it. We can work on our own development. A big annexation battle would be very divisive in our city. The Board and City staff will be spending their time putting out fires when we should be concentrating on the downtown area.

Mayor Elmore: That's important. I think the cultural and social aspect is big. The infrastructure and liability issue is potentially huge. It's important for us to

talk about. On the flip side, I see them as being part of our larger community. A lot of our kids go to school together. I didn't even know it wasn't a part of Avondale when we first moved here.

Michael Payne/26 Exeter Rd: The only connection is one street.

Mayor Elmore: I didn't know at the time. But maybe we could make their neighborhood better and bring up their property values. We could provide them with better services and reach out to them to be a part of our community. But I see what you are saying.

Michael Payne/26 Exeter Rd: I'm not interested in making their neighborhood better. We are a unique city.

David Mattingly/6 Coventry Close: The goal of any annexation is to add value to what you already have. The plan that includes Rio Circle is a very solid plan. It not only adds to our bottom line but diversifies. But it's also very strategic in regards to how we might want to grow in the future. The other residential areas might make us bigger but it does not add value. Those people are already part of our community. The only thing they can't do is join the pool, vote and pay taxes. I don't think we can do much to improve their property when we already have challenges here. The last flooding episode showed that. With those challenges and the income from the properties to the north to help with those is a win-win for everyone.

Susie Deiters/2 Clarendon Ave: I went to a lot of the annexation meetings last year and I heard a lot of people from Forrest Hills say they didn't want to be in Avondale.

Commissioner Fisher: Annexation has a lot of hurdles to clear. This is the first. The next and most important is is it the right thing for our community. That's where public input is so important. Also, do they think it's the right thing for their community?

Joe Anziano/3242 Wiltshire Dr: I don't really like Katie Kerr. I like Forrest Hills and I think annexing that makes sense. We need stepping stones in our city, more entry level homes. It also brings in younger people. They will trade up within the neighborhood as they become more prosperous.

Candace Jones/9 Fairfield Dr: I'm in favor of only annexing the American Legion and high school.

John Mizzell/3302 Wynn Dr: I don't think we can underestimate the value of Rio Circle in the future.

Mayor Elmore: We need to talk more about these issues and the necessity of a public hearing. Time is of the essence. Voting on this Monday would be too quick. We may need a meeting about this and storm water next week. We're definitely going to have a meeting about storm water. We want to hit that head on.

Mayor Pro Tem Giager: We need to address this because we don't have much time. I don't think we should wait for a special called meeting.

Mayor Elmore: Do you think we should vote on it Monday?

Mayor Pro Tem Giager: No, but we need to get a lot of public comment and we don't have a whole lot of time. If we put this off for two weeks, we're not going to get anything done. I don't know what's going to happen but we need to talk about it.

Commissioner Yelton: Are we ready to say individually where each of us stands?

Mayor Pro Tem Giager: What I'm basically saying is do we want to move forward with annexation? Looking at map one, if Rio Circle is taken out then that's only about \$150 thousand of revenue. I don't think we will get Rio Circle. The county will not give it to us. Basically we would be residential. I agree that we went into this to get a better business/residential ratio.

Commissioner Fisher: We could give Karla Drenner map two and if Rio Circle is taken out then we could say, forget it, we don't want any annexation.

Commissioner Yelton: Mayor Pro Tem Giager, why do you think Rio Circle would be pulled out?

Mayor Pro Tem Giager: The Dekalb leadership has said they will not allow that area to be lost. However, I think having the middle school and the American Legion far outweigh the fact that it wouldn't bring in that much money. The only reason we had the residential in map one was to balance out having Rio Circle and the Farmers Market on the map and make it more appetizing to the legislature.

Mayor Elmore: The Board voted that map two was reasonable.

Mayor Pro Tem Giager: Yes, but you have to get them to add Rio Circle back into the map.

Commissioner Yelton: Commissioner Fisher and I are new and still have a very fresh positive clean slate. We can still go in in a naïve way and ask for it.

Mayor Elmore: The discussion we had and agreed to was if you don't put in Rio Circle then what's the point. With the Farmers Market out of it we felt this had a reasonably good chance. They will object to losing Rio Circle.

Mayor Pro Tem Giager: It comes down to whether or not we want to spend the time.

Mayor Elmore: Well, why did we spend any time and money if this is the objection?

Mayor Pro Tem Giager: We're going to spend about 10 to 15 full days looking at this with public hearings and everything. Do we want to do that?

Mayor Elmore: I think we should have a special called meeting next week. This is a good turnout with some very valid comments but we need a meeting to talk

specifically about this map and whether we're going to put it forward or not. Also, we should discuss storm water. Then we'd have to have a special called meeting to vote on it.

Commissioner Yelton: Can we take a poll and see if, at a minimum, we agree on going forward with study area one map? Is it worth polling?

Mayor Elmore: Yes. We've discussed it, paid for the feasibility study, so yes, I think we've crossed that line and this is the one. That's just my opinion.

Commissioner Fisher: Does anyone feel comfortable moving forward with the map that is with the legislature this session?

Mayor Elmore: No.

Mayor Pro Tem Giager: No.

Commissioner Fisher: Then we can say that one is done. If we had hearings, it would be on the other map, which would include Rio Circle, Avondale High, the Sherwin-Williams, American Legion, middle school, and the 63 or so homes.

Mayor Pro Tem Giager: I already said I would support annexing the American Legion and middle school even without Rio Circle. The problem we could run into is if the legislature waits until the last day. The Senate would wipe out Rio Circle and send it back to the House which means it probably won't get voted on this year. I just think there's no way we're going to get Rio Circle and it could delay this plan. That's just my opinion.

Commissioner Yelton: I understand there's a risk. But do we all agree that we want Rio Circle for the City? If so, we should move forward with that and a very positive intention. It doesn't have to fail if we make efforts to influence. But I understand it's taking time away from other things we could be focusing on.

Mayor Elmore: In my mind, we talked about this and decided to go down this path and I think we should keep pushing. I think map one is the one the City will be happy with and it makes sense for us. It's in alignment with what we've been saying all along. This supports the argument we've been making all along about diversity, tax base.

Commissioner Fisher: Getting Rio Circle could be hugely beneficial for the City long term. It's also important to get the high school. It's part of our community. If it was sold, we would have no say in what goes there. In the area with the American Legion and middle school there are large tracks of land. Maybe we can have that without more residential because there are no taxes involved. So I think we should move forward with hearings but just on this map.

Mayor Elmore: Correct.

Item No. 4

Ad Hoc Committee for Education Update

Mark Joyner, Vice Chair: We've got a very strong committee working very well together. We've only had 3 meetings but we've gotten a lot done in that time. I'd like to thank Commissioner Yelton, Commissioner Fisher and Mayor Elmore for coming to our meetings. We've decided one of our main goals based on our

charge is to gather information, filter it and then give it back to you. We've put together a list of 12-15 resources, individuals and institutions, that we want to reach out to and communicate with. Most of these are institutions in our city limits and other schools our students go to. What can our community do to assist those schools with the growth and performance of those schools? We want to open up a line of communication so we know what they need. We have also thought about having sort of an educational summit where we can bring in some of the key players from the board of education, Avondale Elementary, Dekalb School of the Arts, Druid Hills Middle and High Schools, and The Museum School, who are all the public entities, as well as home schoolers. The summit would be to form some goals where we're headed as a group. Everyone is currently acting independently. We would like to band all that together. Jane Howell has been very helpful to us. She has been updating us on all the issues at the Capitol. That's where we are. We're in the process of reaching out to the different resources.

Mayor Elmore: I think that's a great start and I appreciate all of you volunteering. Education is tough to grasp because you're dealing with so many different entities. It's difficult for residents and it's difficult for people wanting to move here so any help we can provide would be a good first step. Building relationships with the school board and other schools is a good thing. Our number one goal is to get a good education for our kids.

Commissioner Fisher: Thank you. The committee is a great group of diverse educators. We will look back on this and see it as the start of really good dialogue about our kids having a good public education from kindergarten all the way through twelfth grade.

Commissioner Yelton: I'd like to thank you as well. I know it's taking a lot of time. I don't think you can look at downtown development independently of education. I'm glad you are focusing on relationship building with schools already in our area.

Mayor Pro Tem Giager: I want to thank you as well. Education is a key component of home values.

Mark Joyner: That reminds me, we are gathering resources to post on the website. We will probably add some narrative explaining educational terms.

Unknown Resident: Was City of Decatur on your list?

Mark Joyner: No.

Brad Jones/10 Kingstone Rd: It would be interesting if the committee could do some research into what's involved in having a school system for a really small town like ours.

Mayor Elmore: I don't know that we have the kids to support that but it would be interesting down the road to look at that. We've also asked them to be our early warning system and let us know if anything is going on that could affect our children. For example, I fear us being zoned out of North Druid Hills High School. I don't think the state government is entertaining the idea of towns starting their own school system right now.

Mayor Elmore: I've been to a couple of your meetings and thank you for taking the time to serve on the committee.

Brad Jones/Chair: Our main task right now is to revisit the idea of a residential tree ordinance. I was part of the ad hoc tree ordinance committee that made recommendations to the city. A draft was made and sent out for public comment. There was an uproar about the fact that it was basically our existing commercial tree ordinance that affects commercial and mixed-use property. So it made it kind of confusing for everyone and not reasonable for people with a single-family residence. Now, we have kind of a draft. We have created something brand new. Dee Merriam has looked into measuring the City's tree canopy to measure if we have lost canopy in the last few years. By using that data, we can say a new ordinance is a way to maintain what we have. It will try to provide incentive to maintain specimen trees and give minimum requirements for anyone who gets a permit to tear down a house or get a building permit to do significant construction that would require tree protection for tree replacement. We're just in the starting phase. I think we've had four meetings now. We don't have anything ready to present to the Board or the public yet. I think the main update right now is that Dee has found this proposal that gives us a baseline the city can use.

Commissioner Fisher: Is our canopy growing?

Dee Merriam: We don't know. There is technology where they look at aerial photography used by the Department of Agriculture that allows them to look at canopy tree coverage which is what we're trying to address and stabilize with a residential tree ordinance. I called several communities and was referred to a group that has done this for Brookhaven. That city has nice images on its website where you can see how the canopy has changed over time. This company has produced a proposal for Avondale Estates. They're a national company that specializes in providing GIS (geographic information system) to local governments. The proposal is for \$2,800 to do an analysis of data from 2009 and 2013. Photography was also done in 2015 and should be available sometime this spring.

Brad Jones: We recommend that we wait until the 2015 data is available.

Mayor Elmore: The idea is to see how the canopy has changed over the last 6 years. It's just a baseline.

Brad Jones: It wouldn't impact how we would write the ordinance but will impact why an ordinance is even needed.

David Sacks: I think what got us started on this was community concern that the City is losing a lot of tree canopy. This would actually give us data to say whether or not we have and, if so, how much. We can also use the study to see if a tree ordinance is working a few years down the road. I think all of us on the committee think this is a good investment.

Dee Merriam: I think when we pass ordinances and laws there should be some kind of evaluation mechanism to see if it has had its intended impact. Is it worth the effort and cost to manage it.

Mayor Elmore: What is a good amount of tree canopy?

David Sacks: Not yet. There are guidelines and recommendations from groups like the U.S. Forest Service and the Arbor Day Foundation are around 30% for east of the Mississippi River.

Dee Merriam: I think Brookhaven has about 45% as their target.

Brad Jones: It's kind of subjective and regional.

Mayor Elmore: I think it's a more science-based, data driven way to look at why we are doing this. The City has done well without one but that could change.

Commissioner Fisher: I think it's a good idea. The easier we can make it the better. Would the ordinance include the business district?

Brad Jones: No. The idea is to create a separate residential tree ordinance. In my opinion, the whole tree ordinance should be revised. I think having two doesn't make sense at all. One new ordinance could cover everything. The business ordinance is somewhat outdated so maybe down the road it should be revised.

Commissioner Fisher: I was thinking with the development we anticipate in the business district and wanting it to have residential and mixed-use, it would be nice to have some kind of canopy on that side as well.

Brad Jones: The ordinance says you have to provide so many trees if you cut them down.

David Sacks: There is zoning and an ordinance that apply to commercial areas. We are working really hard to keep it simple. We're still probably two meetings away from being able to have anything to share with you. It's hard because I think we're trying to do three things at once that doesn't mesh together really well. It has to be easy for a homeowner who wants to take out a tree on their property. We also want to do something where if someone is wanting to build a new house we have strict but fair regulations. It also has to be simple to understand.

Mayor Elmore: It's also complicated by things like boundary trees that are on property lines.

Commissioner Yelton: What is your timeline. You said this is the first of several projects.

Brad Jones: Hopefully we can present a draft to you after two more meetings. Then the Board can decide if it's ready for the public or whatever. We also want to go around and look at some of the public properties before spring comes. That's what we'll be doing next and then this summer we may come up with some ideas about how to use those public spaces better. We have no timeline for how long the committee will last.

Dee Merriam: Some of our public spaces can be used in stormwater management. We are eager to get into the greenspace side of our mission. The firm doing the canopy survey could easily overlay the commercial and residential areas and segment them out.

David Sacks: The groups I mentioned before realize that residential areas usually have more canopy than business areas. We have an opportunity to push the envelope in our downtown area as far as trees go. It could help set us apart.

Mayor Pro Tem Giager: Thank you for looking at this. I think we have more trees than we've lost but they are just young. Will the people doing the survey take that into consideration?

Dee Merriam: They will show up, they just won't have the canopy of a more mature tree. The 2015 aerial data should be available sometime between March and May.

Brad Jones: Waiting for that will not impact the writing of an ordinance.

Brian Fisher: It will be nice to see how we compare to other cities.

Lisa Shortell/6 Clarendon Pl: I love the idea of having the study done.

Item No. 6

Downtown Development Authority (DDA) Reappointments

Mayor Elmore: The Board received recommendations from the DDA for new appointments. In order, they have recommended Parke Kallenberg, Nick Purdy, Rachel Herzog, Laura Haas, and Dennis Young, who is the owner of The Beer Growler. My recommendation would be to appoint the top three.

City Manager Brown: Matt Delicata, the Chair of the DDA, couldn't be here tonight. He's out of town.

Commissioner Yelton: So the DDA followed a process to make the recommendations to us and we either approve or not approve?

Mayor Elmore: Correct. I think the recommendations they've made are quite good. The top three are all residents and business owners. We specifically needed business owners but I think the fact that they are residents as well is a good thing. They've all been in the community for some time. I do want to vote on this Monday. They've been without a full panel for a while now and there is lots to do.

Mayor Pro Tem Giager: I'm not against what you're saying. I always like to go with the recommendations of the board. The only thing I'm thinking about is expertise. The DDA wants to do more marketing, publishing. I know Laura Haas has been in publishing for many years, is a graphic artist. She's willing to help and go to meetings. I think that kind of expertise is needed.

Commissioner Fisher: The only one I don't know is Dennis. I couldn't be happier with their recommendations. I do think Laura is very talented and hope

she will be involved. They went through an interview process and I want to trust where they went.

Mayor Elmore: I think we did a good job with our initial DDA selections and we're trying to build on that relationship.

Commissioner Yelton: I want to add that there are strategic aspects of marketing and tactical aspects. They can always get help outside the board for the tactical.

Mayor Elmore: I think it's a good group of seven and I'm excited to see what happens and the progress we can make together.

Lisa Shortell/6 Clarendon Pl: It's my understanding that the DDA can make subcommittees.

Mayor Elmore: I'd like to vote on this Monday.

Item No. 7

Historic Preservation Commission/Architectural Review Board
(HPC/ARB) Appointments

City Manager Brown: That board has two openings since those terms expired last year. David Sacks wanted to be reappointed and the rest of the board wants him to be reappointed. City Hall has gotten one other application and the chair wants to continue to advertise the other opening.

Mayor Elmore: If the Board reappoints David on Monday will they have a quorum?

City Manager Brown: Yes.

Martha McDermott/6 Kingstone Rd: Can we nominate people for the HPC?

Mayor Elmore: They have to put in an application.

Item No. 8

Lake Avondale Advisory Board (LAAB) Appointments

City Manager Brown: This is a similar situation. We advertised two openings and received no applications. Camilla Warren and Chris McArthur have served on the board and would like to be reappointed. The board requests that they be reappointed.

Mayor Elmore: I would agree with those recommendations. They are both very qualified.

Item No. 9

Body Cameras for Police Officers

City Manager Brown: For at least a year and a half, the City has been looking into body cameras for the police officers. The police staff has tested four cameras in that time. In the past, the issue has been storage capability. There is a lot of data involved that has to be kept by law for five years. The cost for data storage was very high. Prices have come down considerably.

Cpl. Conroy/Training Officer (showing slides): This is the camera the police would be using and it would be placed on the chest. We chose this placement because most are around eye level. The problem with that is that the head is always moving and it produces a vertigo effect. With it on the chest, you have a wide field of vision, about 130 degrees. We have to also take into account different heights and scenarios. The video is high def. That's where the large storage capacity comes in. It has a pre-event buffer that we can set back. We're trying to get good quality images across the spectrum of when we work – daylight hours, nighttime, environmental conditions, as well as moving from daylight to indoors. We tested several products and based our studies on what the National Institute of Justice had recommended. That was our starting point. Then we tried to match them with our particular requirements for battery life, storage, ease of use, protection of the chain of evidence. That narrowed it down to the top two vendors. Right now the storage life is 5 years. There is talk of going to 7 years. The trend since the 60s or 70s has been more depth, clarity and accountability in dealing with people. We want to move that he-said-she-said element. We have video capability down but it's limited by distance. We're often in situations that exceed the parameters of the equipment we have now. We'd like something that goes wherever the officer goes and isn't tethered to the car. And we would control it so the officer can't alter the recordings or delete them. It's really about transparency.

Commissioner Fisher: Is the camera on the entire time?

Cpl. Conroy: It's always buffering. Then when the officer activates it, it can go back up to 2 minutes. There is no audio but there is video. The officer activates it and we have a clear delineation in our policy and procedures when to do that. That's based on what the criminal justice side needs, the defense attorneys and the ACLU. We took the best of everything plus our own internal liability company which is GMA or GRMA. These policies meet or exceed their current recommendations.

Chief Broden: We have quality cameras in the cars but once the officer is out of view of them, it's pretty much he-said-she-said. With the climate in our country today, if it's not on camera, there are a lot of questions about whether it happened the way you said it did.

Cpl. Conroy: This is more about liability from the City side, that we're protecting the City's reputation. This trend is sweeping the nation and will someday be a mandated device, probably in the next 10 years. Many other departments are using this kind of camera.

City Manager Brown: Another thing cameras will do is when someone is approached by an officer, they know that camera is on and will increase their professionalism. That goes for both sides.

Cpl. Conroy: We picked a product that filled our requirements: a 12-hour shift life, onboard storage, can handle a large amount of data, ease of transfer, is rugged. The program has automatic technology updates so we would get it as soon as it comes out. We would not be a slave to outdated technology. Also, if people are added to the force it's easy to add more cameras without straining the existing infrastructure.

City Manager Brown: The cost the first year with the equipment and setup is \$18,300. The license fee after that is \$13,000. That's for 13 cameras, docking stations, software, storage, warranty. After that it's just license fees and updates.

Commissioner Fisher: Is the City paying storage and licensing fees for our dashboard cameras now?

City Manager Brown: The storage on the data now is just on a disc. We would keep the car cameras.

Cpl. Conroy: The body cameras would supplement those.

Chief Broden: We have been looking at this for a long time. But we've been taking our time. We've met several times about the new equipment and watching the fees go down. This is probably one of the better times to do it.

Cpl. Conroy: The program we've asked for is actually unlimited storage for the contract period we enter into. So it wouldn't cost extra if we had to scan in a document or photo to add to the evidence. It would make it easier for us to share information in a digital format with the county and attorneys. Instead of burning discs, we could just send them a hyperlink so they can view evidence. It can't be altered or copied.

Commissioner Yelton: What is the life of the camera? When would they need to be replaced?

Cpl. Conroy: The cameras have a 500 cycle charge. That works out to roughly 2.5 years. If one fails, we have built in safeguards so the officer is never without one. It will be under warranty.

Mayor Elmore: Is it just the battery that gets replaced?

Cpl. Conroy: It's just the battery if it needs to. But in about 2.5 years it triggers a whole new camera system when new technology rolls out. There would be no extra cost. We already use this vendor for other things.

Chief Broden: The City of Atlanta looked at 10 systems and this is the same one they chose.

Cpl. Conroy: Dekalb County Sheriff just went with the same vendor and they're in the top three for Dekalb County Police. They're investing millions of dollars in their technology.

Commissioner Fisher: It sounds like just the cost of insurance to protect the City and our officers.

Mayor Pro Tem Giager: It could also resolve cases more quickly and keep some from going to court.

Cpl. Conroy: The camera never leaves the building unless the officer is wearing it on duty. The camera downloads and charges at the same time. Also, the bandwidth won't affect other City Hall functions. That officer is ready to go

when coming in the next day and won't have a lot of equipment to deal with. There is a lot of training that we built in to the initial policies and procedures. There is also mandated additional training on an annual basis.

Chief Broden: The policy is already in place. Training won't be that difficult because of the simplicity of this system. Other systems we looked at were much more complicated.

Cpl. Conroy: Also in our policy, each device is initialized to a particular officer. But we do have a spare if we need it. Just like we never drive a car if the camera on the dash isn't working.

Mayor Pro Tem Giager: When the officer docks the camera, does the whole 12 hours download or just the time it's activated?

Cpl. Conroy: It downloads whatever portion was used and is new. We have policies about when it is activated but there will be human error. There is a light on the camera indicating it is in use.

City Manager Brown: The City has a technology fund that receives a certain amount of money per citation. It's for use by the police department for technology. For the initial cost that's where it would come from. It would be budgeted in the general fund going forward.

Commissioner Yelton: How much does the technology fund get?

City Manager Brown: It depends on the number of citations. It may receive \$10,000 per year.

Commissioner Fisher: Are there grants available?

City Manager Brown: Yes. We just had a meeting with GIRMA about that very thing. Also, we applied for a large grant but found out our city was too small. So we teamed up with Clarkston. It didn't work out on their end so we couldn't do it. If the Board approves us to move forward with this, I need to get an agreement from the company and review it and have the city attorney review it. Then it would come back to the Board for a vote.

Don Connelly/10 Dartmouth Ave: How soon could you get the cameras?

Cpl. Conroy: The lead times are not exact but could be anywhere from 30 to 60 days. That's because of the number of clients they're getting. They're at capacity. They know we're interested. We can implement the program immediately once we get the cameras.

Candace Jones/9 Fairfield Rd: Does anyone review these files?

Cpl. Conroy: Yes. There is a tiered administrative structure. The officer can view the video and make notes on the video itself if he is explaining a complex situation. Then others can review it depending on what authority you have within the software structure.

Candace Jones/9 Fairfield Rd: How much time will that take?

Cpl. Conroy: It's really a case by case basis.

City Manager Brown: The command staff and Chief will audit every officer each quarter on random stops. They don't audit every single stop. They take notes and then review them with the officer.

Chief Broden: It's a training tool. It will be used to spot check unless there is a complaint.

Cpl. Conroy: Time spent also depends on if there is a complaint and how much video there is to review. The good thing is the information is easy to get to.

The Board thanks Cpl. Conroy and Chief Broden for the presentation.

Item No. 10

Georgia Classic Main Streets Memorandum of Understanding

City Planner Stevens: Avondale Estates was designated last January as a Classic Main Street. Each year the Main Street program requests the City sign a memorandum of understanding (MOU). It outlines the community's responsibility to the program. It also outlines the department of community affairs' responsibility, the Main Street manager's responsibility (which is me), and the Board's. The Main Street board is also our Downtown Development Authority (DDA). It's just a different hat that they wear. There are opportunities we have as a city to implement our downtown master plan and move forward.

Commissioner Yelton: With changes in the DDA, will there be training for new people?

City Planner Stevens: There is kind of a two-tiered training. There are requirements for the DDA to be trained in the first year and there is also training for them as the Main Street board. So there are two separate trainings. We're going to go over at the next meeting some opportunities for training. A few have already signed up.

Commissioner Fisher: We need to take any opportunity to help people understand what the Main Street program is, especially the business owners. I think a lot of them don't even know.

City Planner Stevens: There will probably be a public meeting about the program and the opportunities people have to utilize it.

Mayor Elmore: I agree with Commissioner Fisher. We also need to publicize the program.

Commissioner Yelton: So we're just renewing it?

City Planner Stevens: Yes, we have to do a MOU each year.

City Manager Brown: City Planner Stevens and I went to a TIP and LCI program meeting.

City Planner Stevens: LCI is the Livable Centers Initiative. The funding came from the Atlanta Regional Commission to do our downtown master plan and feasibility study for the US278 project. The feasibility study we did in 2014/2015 met the requirements for a scoping report. So when we applied for funding to implement US278, we were a step ahead. It's about \$2.7 million to do sidewalks, crossings from Ashton Place to Sam's Crossing. It will be done in three phases. We were initially funded for \$160 thousand to do the engineering. That's phase one. It's really the nuts and bolts of the project. So we will be getting significant improvements to US278 without barring us from looking at other options in the future. Phase two will be any right-of-way acquisition. Phase three will be the construction. Since we're part of LCI program they looked at funding over the course of the next few years and we'll be guaranteed to get the full funding for the project.

Commissioner Fisher: Why wouldn't GDOT let us do a road diet?

City Planner Stevens: They don't want to slow down traffic. We had started the project and had full support for a road diet. The district manager had worked with us but he was transferred and the new person didn't support the road diet. Other cities were in the same situation.

Commissioner Yelton: When we have good news we need to get it out there.

Mayor Elmore: Things like this may be seen as small but they add up.

Item No. 11

BOMC Strategic Planning Session

Commissioner Yelton: The BOMC has a lot on its plate and we're just getting to know each other. I feel like there is a lot of stuff going on and Commissioner Fisher and I are still learning. I know most high performing teams have some kind of planning retreat. I'm just talking about changing the physical venue and going off site and really talking about working together and what our priorities are – both short and long term. I talked to City Manager Brown about it and he agrees. We could provide better guidance for him and figure out a way to measure ourselves to see what we were able to accomplish. I'd like to have the Board's agreement and just open it up to discussion.

Mayor Elmore: For me the question is are we doing a good job. But how do you know that? The business world is used to that. But what's the metric to see if we're doing a good job? We also need goals.

Commissioner Yelton: There is so much information out there that I really feel like we need to prioritize as a board.

Mayor Elmore: I think it's a good idea. Do you have any ideas or numbers about when, where or how?

Commissioner Yelton: I've just talked to City Manager Brown about having it off site and possibly hosted by the Atlanta Regional Commission, GMA, or some other third party to facilitate. We need to agree and then City staff can figure out some of the logistics. It does have to be an open meeting.

Commissioner Fisher: I think it's a good idea. It might be a good idea to do it every year, probably in the fall when we start working on budgets for the following year. I feel if you don't focus on long term goals they can be forgotten. One thing for me is infrastructure. I would be great if we could do it in the first quarter. I don't know how long it would take to plan.

City Manager Brown: That would be ideal. We start to work on the millage rate around May.

Commissioner Fisher: We could even start to plan what our meetings would be about in advance so certain issues could go ahead and be put on the agenda.

Mayor Elmore: We have the general fund and we fix problems but we know we have things coming down the road. It would be good to plan ahead and not just fix things when they break. It could help us set the millage rate.

Mayor Pro Tem Giager: I like the concept. We did something similar when I joined the Board six years ago. We used a spreadsheet and set priorities. I would revisit it every year. One problem is I'm not a believer in an off-site meeting. We were elected by the City and it needs to be here so we don't put a burden on our residents to go somewhere else. They need to be able to give input in the meeting and we need to hear it. I don't want anything out there to make people feel like we're not totally open. We have budget goals and I think we can incorporate that. City Manager Brown is going to be able to give us the most amount of information.

Candace Jones/9 Fairfield Dr: I think it's a great idea. You could have the retreat at the community club, American Legion, or one of the churches.

Sam Collier/business owner: I think it's a great idea. I've been proposing the same for the DDA. They could go on simultaneously.

City Manager Brown: I'll start looking for a facilitator and thinking about different locations. I will work with Commissioner Yelton. How long should it be? Four hours could be too short.

Commissioner Yelton: I've facilitated some before and I think it's always nice to have a lunch break.

Commissioner Fisher: I would think a full day.

Item No. 12

Arbor Day Proclamation

City Manager Brown: February 19th is Arbor Day and hopefully we'll have a big crowd to help us plant the tree. We'll advertise it.

Item No. 13

Public Comment

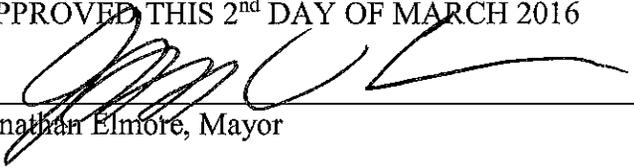
Candace Jones/9 Fairfield Dr: I'm glad the Board is having the meeting on stormwater. I think something else that should be addressed is gaps in our building ordinances. More growth and development are an issues and so is grading. Put that on your list too.

Item No. 14

Adjournment

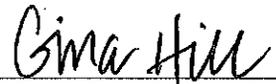
Commissioner Fisher moves to adjourn. Commissioner Yelton seconds. All ayes.

APPROVED THIS 2nd DAY OF MARCH 2016



Jonathan Elmore, Mayor

ATTEST:



Gina Hill, City Clerk