

BOARD OF MAYOR
AND COMMISSIONERS

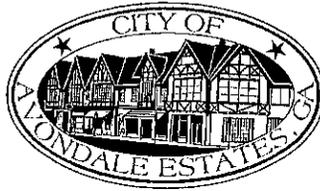
JONATHAN ELMORE
MAYOR

TERRY GIAGER
MAYOR PRO TEM

RANDY BEEBE
COMMISSIONER

BRIAN FISHER
COMMISSIONER

ADELA YELTON
COMMISSIONER



R. CLAI BROWN
CITY MANAGER

GINA HILL
CITY CLERK

ROBERT E. WILSON
CITY ATTORNEY

STEPHEN W. NICHOLAS
CITY JUDGE

**BOARD OF MAYOR AND COMMISSIONERS
WORK SESSION
March 23, 2016
5:30 p.m.**

MINUTES

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

Staff Present: Clai Brown, City Manager
Gina Hill, City Clerk
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

City Manager Brown: Before the Board adopts the agenda I need to request that we remove item number 14 be removed from the agenda.

Commissioner Yelton: I'd like to make a motion to move item number 10 up to the place of item number eight.

Mayor Elmore motions to accept the amendments. Commissioner Fisher seconds. All ayes.

Mayor Elmore motions to accept the agenda with the amendments. Commissioner Fisher seconds. All ayes.

Item No. 3 Downtown Development Authority (DDA) Appointment Recommendation

Mayor Elmore: I believe the DDA recommends Laura Haass for the appointment. I support that.

Commissioner Fisher: I agree. I think there was a good group of candidates. I'm excited about what's happening with the DDA. I look forward to working with Laura.

Commissioner Yelton: I agree. I think there were very qualified candidates. I agree with Laura's appointment. I'd like to reach out to the other candidates and I hope they stay involved.

Mayor Pro Tem Giager: We had some really qualified candidates. I think the DDA made a very sound choice in picking someone with media, social media, design, and graphics experience.

Item No. 4

Historic Preservation Commission (HPC)/Architectural Review Board (ARB)
Appointment Recommendation

Mayor Elmore: Their recommendation is Christine McMahan. I have no comment.

Commissioner Fisher: I don't have a comment either.

Commissioner Yelton: I agree with the recommendation.

Commissioner Beebe: I support the recommendation.

Mayor Pro Tem Giager: I will go with the recommendation as well.

Item No. 5

Application for Open Area, Deck and/or Patio Sales (new restaurant Rising Son)

Mayor Elmore: This is exciting news.

Mayor Pro Tem Giager: We do this any time there is a change in ownership. They want to serve alcohol on the sidewalk out front. We never had a problem before so I would be in agreement on this.

Commissioner Beebe: I'm ok with it.

Commissioner Yelton: I agree with it. I think it's an enhancement of current services.

Commissioner Fisher: I have nothing to add. I agree.

Item No. 6

Application for Open Area, Deck and/or Patio Sales (Purple Corkscrew)

Mayor Pro Tem Giager: Steffini Bethea, your business was previously in Emory Village. Did the business run smoothly there?

Steffini Bethea/Owner/Purple Corkscrew: We didn't have a lot of college students actually. Mostly professors, neighbors and CDC employees. That being said, it's important to me and my staff to be responsible with having the privilege of serving alcohol. I don't want to lose my livelihood or my license. I also have very mature responsible people working for me.

Mayor Pro Tem Giager: I want to be business friendly and since she brought her business here I'd like to help her.

Commissioner Beebe: I'm good with it.

Commissioner Yelton: I think it's a great enhancement to your services.

Commissioner Fisher: I'm just glad you're here in the City.

Mayor Elmore: I'm glad you're here as well and I hope this helps your business.

Item No. 7

Change of Board of Mayor and Commissioners Regular Meeting Time From 7:30 p.m.

Mayor Elmore: This is something I wanted to discuss. I would like to change the meeting times to 6 p.m. It's in our charter and in order to change the time we have to go through a certain process. I just think 7:30 p.m. is late. I'd like to change the times of the work sessions and regular meetings if that's ok with everyone. We can change the time of the work session any time we want but not the regular meeting.

City Manager Brown: Staff would need to draft an ordinance and there would need to be three readings publicly.

Mayor Elmore: I'd just like to get everyone's thoughts on the time change for now. I just think 6:00 p.m. is a good time. It gives City staff and us time to get something to eat first. The 7:30 p.m. time just makes for a late night even when we breeze through things. I don't see why we can do our work sessions earlier. We should be able to do the regular meetings earlier too.

Commissioner Beebe: I'd actually like to hear from the residents. I'm retired so it works for me.

Mayor Pro Tem Giager: I have a problem with it. I think it could be difficult for a lot of residents to get here by 6 p.m. I don't mind the work session because people just trail in throughout the meeting. But I do have a problem with moving the regular meeting.

Commissioner Yelton: I would also like to hear from the residents. But I also know that regardless of the time there will always be people who can't make it. Then it just becomes more important so share information afterwards. That's how I would get my information, online and after the fact. And many people do have flexible schedules these days.

Commissioner Fisher: I would like the move. I think it's more convenient. But I would like to hear what the public has to say. I think a lot of people with young kids with extracurricular activities aren't coming to the meetings anyway. But again, I'm open to what the community thinks.

Julie Feely/2 Dartmouth Ave: You have three readings and I suggest you aggressively advertise the proposed change to the public then I think that's reasonable.

Candace Jones/9 Fairfield Dr: I don't think the time matters. If there is an agenda item that's important to someone, they will make a point to be here.

Julie Feely/2 Dartmouth Ave: I've worked with many governments and it can be perceived by the public that an early meeting time is a way to limit participation. That's something to keep in mind.

Mayor Elmore: Mayor Pro Tem Giager, would you be more amenable to 6:30 p.m.?

Mayor Pro Tem Giager: I'm not against change but I am against this one. We even delay meetings to allow for more people to arrive. I know it would be difficult for me to get here by 6 p.m. and dressed for a meeting.

Commissioner Fisher: I think it's something we should continue to discuss over the next couple of months and get more feedback from the community.

Commissioner Beebe: Maybe we should use 6:30 p.m. as the time we explore?

Mayor Elmore: Let's just get it on the record for discussion and pick it back up next time. There's no hurry.

Commissioner Fisher: Is that something that has to be stipulated in the charter?

City Manager Brown: Yes.

Commissioner Yelton: Will we include this in the newsletter to let the public know it's being discussed?

City Manager Brown: Yes. I need a specific time to put in the newsletter.

Mayor Elmore: I would say 6:30 p.m. Changing it to 7 p.m. doesn't really make enough of a difference.

Item No. 8

Summary of Strategic Planning Retreat and Next Steps

Commissioner Yelton: On March 2nd, we meet as a board, with Clai, to talk about what our priorities might be going forward and look at what we might want to do the next 12 to 24 months. I want to point out that we did not make any decisions about anything. We just have a summary of that discussion. The meeting was facilitated by Katherine Moore of the Georgia Conservancy. We had four major categories of priorities: Infrastructure (identifying short and long term needs with street paving, stormwater, public works building, sidewalks, greenspace. And clarifying our budget restraints, funding, and partnering opportunities). Downtown development (define expectations between the BOMC and DDA via an intragovernmental agreement, work with the DDA to develop and identify opportunities which retain character while providing for growth, clarifying specific actions and next steps which improve potential for developer quality investment. Education (supporting local schools through city policies, infrastructure investment and public safety, determine the role and expectations of the education ad hoc committee and hear recommendations from them in May, identify opportunities with local school properties and potential annexation. Communication (make communications more consistent and

efficient with outside government bodies, provide legal clarity around communication protocol, share what was learned from open records training, clarify process of BOMC internal communications with the city manager, identify other city best practices for other boards, staff and role descriptions). We also talked about city branding and identity. We made that a 24-month goal because doing the other things on the list will affect our identity as a city.

Mayor Elmore: This list is not all inclusive. We just had to narrow it down so we could be more productive.

Commissioner Fisher: I think it's important to prioritize, especially since we really only have 12 scheduled meetings in a year where things can get done. I hope these priorities will help guide our agendas, topics, etc.

Commissioner Beebe: I think the retreat was a good way to get us all working on the same page. I assume these priorities will be a working document and will be adjusted as different priorities come up. But I think it will be good to keep us focused.

Mayor Pro Tem Giager: I have a problem with it. I feel like some of these priorities interferes with the duties of City Hall. The Board can give direction and it's the City Manager's job to bring us funding and how we're going to do it. That has worked well so far. I think it's a good plan but didn't need to go into so much detail. The City already runs very efficiently.

Commissioner Yelton: It's in the city charter that we need to provide direction.

Mayor Elmore: I think the Board does need to provide strategic direction. It's not that the City Manager is incapable but I think it's our job. We're elected to lead the City. In order to do that, we have to set direction and goals. But it should be collaborative.

Commissioner Fisher: I don't want anyone to think the City Manager isn't doing a good job. That's not the case. I'm thinking more about items for the next budget. We have a fiduciary responsibility.

Commissioner Yelton: The City Manager was very involved in deciding to have the session, planning it, and the results. I agree that it is up to the BOMC to provide some direction.

Lisa Shortell/6 Clarendon Pl: Will that be posted on the website.

City Manager Brown: Yes, once the final version is done.

Julie Feely/2 Dartmouth Ave: In regards to communication, as a volunteer member of a board here in the City, I wish there was better communication between the BOMC and the boards. Also keep in mind we have a comprehensive plan with both short-term and long-term goals that could be helpful. There is probably some overlap.

Commissioner Yelton: When is the comprehensive plan scheduled to be updated?

City Manager Brown: The draft is in the final stages. It's due, by law, by October of this year.

David Sacks/89 Dartmouth Ave: I agree about the need for better communication between the Board and the other volunteer boards. That's an issue that has come up a lot. I also agree that the Board could provide strategic guidance to City Hall.

Bob Timm/52 Dartmouth Ave: Can the City Manager spend a certain amount of money without having to go to the Board?

City Manager Brown: Yes, up to \$5,000. I have to tell them about it but I don't have to get approval to spend less than \$5,000.

Mayor Elmore: City Manager Brown is very careful about that.

David Mattingly/6 Coventry Close: Was there talk about improving communication between City Hall and the public?

Commissioner Fisher: There was. The priority was to make sure we were following the law.

Commissioner Yelton: It was mentioned that we might be over communicating.

Commissioner Fisher: I was surprised to learn how much information was already coming out of City Hall that I didn't even know about. There was a consensus that we need to find as many ways to engage as many people as possible.

Mayor Pro Tem Giager: There are residents who complain they're getting too much information and not enough. There are some that are happy with what they get. Everything is on the website. That's where I always go for information. I don't know what else we can do.

Commissioner Yelton: We're not saying that's not important. We're just saying for the next 12 months these are our priorities for communication.

Lucy Henner/60 Dartmouth Ave: It would be good to put out information about what has been updated on the website. And what local schools are you talking about supporting under education?

Commissioner Fisher: The ad hoc committee is working to develop partnerships with every school in the greater Avondale area. So it would be Avondale Elementary, The Museum School, Dekalb School of the Arts and the Elementary School of the Arts are the four schools they're looking at.

Lucy Henner/60 Dartmouth Ave: Would it also be schools like Waldorf and Friends School?

Commissioner Fisher: They're reaching out to them too in hopes we can put their information on the city's website for new residents.

Mayor Pro Tem Giager: At the last meeting they decided to have information on public and charter schools and then a link to the Georgia Independent Schools website for private school information.

Lisa Shortell/6 Clarendon Pl: I think some of the information on the website is too technical for a lot of people. For example, a lot of people don't know what a DDA is.

Mayor Elmore: This is a working document. We invite comment and suggestions.

Candace Jones/9 Fairfield Dr: I commend the Board for starting this process. I feel like the BOMC does need to provide some direction.

Item No. 9

Board of Mayor and Commissioners Compensation

Mayor Elmore: I'd like to go ahead and make a decision about this and vote on it soon. I recommend that we set the Board members' monthly stipend at \$400 and we set the Mayor's at \$600. That would be effective January 2018. Those are numbers to begin with. I think it's overdue.

Commissioner Fisher: I agree we should decide. Nobody did this for the money but it is easily 40-50 hours a month. But we are the only BOMC that isn't compensated.

Commissioner Yelton: I agree with the amount. I would like to call it a stipend versus a salary.

Commissioner Beebe: I don't have all my background information with me so I need to think about it.

Mayor Pro Tem Giager: There are some employers that won't allow their employees to get paid elsewhere so that could be a problem. I have no problem expensing a phone or whatever. But if this is voted in and mandatory, I will not run again. My term would end before this starts and I just don't want to be put in that position. It's just a personal choice.

Dave Mattingly/6 Coventry Close: I agree with a stipend. I urge you to also get a city-managed cell phone and a city-managed email account for open records and to make your work more transparent to the public. That's so people could see what their compensation is getting for them. You also wouldn't have to worry about maintaining these open records at home. It would be a huge step forward.

Mayor Elmore: Should we continue to discuss the emails and phones? That's something we can do right now.

Commissioner Fisher: I think it would be better and easier for everyone if we were on the City server. I think it would be difficult to keep up with two phones.

Mayor Elmore: I agree.

Commissioner Yelton: I think the phone may be overkill compared to what commissioners get in similar sized cities. City Manager Brown, how do you feel about the phones?

City Manager Brown: It could go either way. City Hall has an account with Verizon and we could get the Board city issued phones that way instead of expensing it. It depends on how it's written up. There has to be an ordinance done to pass compensation as a stipend. There is an ordinance done for the Board to have expenses reimbursed but a resolution needs to be passed to specify what those expenses are.

Commissioner Fisher: Would having City email accounts make it easier to fill open records requests?

City Manager Brown: Unless City staff went in and searched the emails, Board members would still need to turn them over to the open records officer. That would include anything on your personal email accounts.

Commissioner Yelton: Maybe we could see what other cities are doing.

Commissioner Fisher: I'm all for things being as transparent and easy as possible.

Mayor Elmore: If an open records request is made, does that mean City staff and search the emails of anyone on that server?

City Manager Brown: Yes, but we would still send the request to the Board because you could have relevant emails in your personal account.

Commissioner Beebe: I think focusing on the emails would be best. Once we start talking about phones things get more convoluted. We would have to change our business cards and other things so there might be a transition period. I wish I would have gotten a city email address when I got elected.

Mayor Elmore: I would be in favor of that. I think it would be a fairly straightforward thing to do.

City Manager Brown: I will check with other cities and see how they handle emails and open records requests.

Item No. 10

Willis Park Discussion

Mayor Elmore: As everyone knows, Willis Park is being renovated. Hopefully more people will use it when it's done. But there are some concerns. I want everyone to be able to voice their opinion. We're not making any decisions or rules. I want everyone to listen to others respectfully. Please engage us and not each other.

Commissioner Fisher: I think the starting point is just to hear some of the concerns out there.

Commissioner Yelton: This is just about having a conversation. I just want to hear what people have to say about it.

Commissioner Beebe: Thank you for the document, Lisa Shortell. I don't think the park and access to The Museum School should be part of the same discussion. I think they're two different issues.

Mayor Pro Tem Giager: I agree with Randy. There are laws that define parking, public space, unoccupied vehicles, etc. I think we'll just have to delve into all of that.

Lisa Shortell/6 Clarendon Pl: I'm here with some of my neighbors. We don't expect any solutions tonight. This has been brought up because our area has changed dramatically in four years in terms of traffic, parking, park usage. No one is against park usage. We all like to see the kids but it sometimes feels a little overwhelming. The idea that we're about to open a park where someone can rent a pavilion with basically no rules but the existing ones is scary to us. We already have tennis and pool parking and there is almost no parking except for a few spots at the pool. That area was developed a long time ago before Avonwood and Majestic Acres was annexed. It was made to serve fewer people back when everyone walked more. It's not just Avondale residents but outside residents. It's not that we don't want those people. It's that we don't want to be overwhelmed. I met with City Manager Brown on behalf of the neighbors and when renting the pavilion there was no limit on size of event or frequency. If you look at other cities, everyone has rules because things could get out of hand. This is public space that you don't want overwhelmed by a private group. If there is 100 people there, it prevents residents from enjoying their own city park. There are people right now that advertise exercise classes at the park that they get paid for. There could be other things like sports clinics. We have no procedure. Those activities should be permitted. That's what others do. That's so the City can control the size, wear and tear, fees. We have all supported an open connection to The Museum School for walkers and bicycles. This was the original request from the school and the minutes of the discussion. We love seeing the kids but from day one we got more than walkers and bikers. We got lots of people parking, walking their kids across the park to school, then walking back and getting back into their car. Or worse, dropping off their child and creating unsafe conditions. This is both before and after school. I anticipate when the park opens we are going to have so much activity and we're going to have so many people trying to park to use the park that I just think it's only fair. The school did not request that in the first place. I talked to City Manager Brown and former Commissioner Lindsay Forlines. They were surprised at the activity. I think it's really time to look at this. There are parking issues, safety issues, access issues. It's not that we don't want people using the park. We just feel it should be limited. We did not buy our homes in a school zone. Gate security is another issue. It's supposed to be open in the mornings before school and from 3pm-6pm in the evenings. The rest of the time it's supposed to be locked. I think we all agree there are times it should be locked, especially at night. It's not because we're fuddy duddies, it's because we've had vandalism in the park and neighborhood coming through that area. I've personally seen people walking through the park and doing things like urinating. So there are reasons for this and if you understand the history of what's happened in the park it would make sense. We understand the gate is under the control of the City. There are many times the gate is not locked when it should be – the school forgets, the gate has been vandalized. A neighbor just told me the gate has been open all of the past two weekends. We think the City should control the gate. It's the City's gate. It

leads onto City property. And I think the City would be more responsible than the school has been. We have more traffic infractions than we used to have – speeding, running stop signs. We are getting concerned also because we have events too. We have people come over to our homes too. Because we've added amenities to the park, the pool has gotten larger, traffic has gotten worse. Often the entire streets are lined and not just for a few hours. I don't think people have any idea how the park is already used. In the morning here comes the moms with the little kids, there's a home school group that uses the park two days a week. Then there's after school traffic. There's tennis. There's overlap between the school and the pool in May and August. It gets crazy. There used to be similar issues in Avonwood with the stadium and now there is resident only parking signs. There are idling engines for 10-15 minutes waiting for kids to come out. If I'm working in my garden, I don't want someone in front of me idling their engine. It's often out of town people too. It's both, residents and out of towners. We also feel that when things happen in the park or on the streets that aren't appropriate, it's always incumbent on us to call and report it. And what happens if there's a large group in the pavilion on a Friday night and there's a problem or they leave trash and we have to look at it all weekend? How is that going to get dealt with? Or they're breaking codes in the park? Do we just have to live with that? I think this is the tip of the iceberg. Because of the City's growth, annexation, the park renovation (which is a good thing). There are consequences. There are going to other places with issues. Like the business district. People will try to park on residential streets. How will that be handled? No one wants their house parked in front of all the time.

Commissioner Yelton: You mentioned having a committee to look at this. Could you explain?

Lisa Shortell/6 Clarendon Pl: I thought the greenspace committee would be the appropriate group. They would probably look at what other cities and parks do. I hope they would take into consideration the nature of Willis Park and what it was intended and built for. I think young families or anyone using the park would be part of that discussion and giving their opinion about what they think the rules should be.

Ruth McCann/864 Stratford Rd: We had a great family reunion there. We did have an issue with not having restrooms. I paid a deposit to City Hall and cleaned up when we were done. It's not every day there will be big events there but there should be rules and reservations made in advance.

Michelle Kelly/45 Berkeley Rd: We've lived here since 2001. My child walks to The Museum School pretty much every day. It is critical that the gate to the school remain open.

Mayor Elmore: There's an agreement in place about the gate and when it's open.

Lisa Shortell/6 Clarendon Pl: I want to be clear that we support kids walking to school. We have from day one.

Bill Clark/11 S. Avondale Plaza: I'm on the board at Paideia and the school works well with the surrounding neighborhood and they have very high standards. We communicate with parents and students right when they start

about the rules. There is a lot of internal enforcement are parking and carpool. It takes a lot of discussion but it can work. I'm happy to share any information.

Commissioner Yelton: Thank you for sharing that. I'm on the advisory council of The Museum School. The principal has emphasized to me that it's very important to them to be good neighbors.

Tom Henner/60 Dartmouth Ave: I know no decisions are being made but there is some urgency since the park will be opening soon and lots of people will be calling to reserve the pavilion. There are currently no rules about that.

Mayor Elmore: We do have rules per the rental agreement application.

Mayor Elmore reads agreement.

Tom Henner/60 Dartmouth Ave: That's great. I did not know that existed. Is it on the website?

Mayor Elmore: Yes. We need to get ideas about what everyone would like to see done. Once that's done maybe we could get The Museum School to hand stuff out to the parents. I'd be interested in knowing what Paideia does. That's just an idea.

Lucy Henner/60 Dartmouth Ave: Those are great ideas. There is one element I think needs more attention and that is the fee for usage of the pavilion. Comparable pavilions cost about \$100. And that's fair. It would be less for residents. But we could get too much use if the fee is not comparable.

Commissioner Fisher: It's free for residents. There is a fee for nonresidents plus you have to be sponsored by a resident.

Lucy Henner/60 Dartmouth Ave: That's good but I still think the fee should be comparable. By the way, some of Decatur's pavilions will be closed this summer because they're working on the restrooms. That's another thing that should be prominent on the form. The lack of restrooms and parking.

Commissioner Beebe: I appreciate the comments but we're getting into too much detail at this point. We're not ready to come up with the final product.

Lucy Henner/60 Dartmouth Ave: People will be calling and the sooner those documents can be fine-tuned, the better.

Bob Timms/52 Dartmouth Ave: There should be rule that Clarendon Place, Dartmouth, and Kingstone are not pick up zones for the school. Walking is fine. Everyone is too busy to sit through carpool. Kids hang out in the park unsupervised until their parents get off work and come pick them up. When the pool opens, people will start going around the block and coming back around to find a parking space. Also, the City owns the land where the gate is. We should hire someone or somehow get the manpower to be responsible for opening and closing that gate. It's not the school's responsibility.

Ann ???/64 Dartmouth Ave: I want to echo the safety issues. There are unsupervised kids around moving cars and it makes me nervous.

Rich Yelton/3249 Majestic Cir: My kids go to The Museum School and I didn't even realize there was a carpool line on Dartmouth. Making things safe for the kids is very important. I still don't quite understand the gate. I don't think a big gate with barbed wire on top is the impression we want to send as a City. Having it open on weekends could also help some pool traffic if people could park on the other side.

David Sacks/89 Dartmouth Ave: In my professional experience, since Willis Park is basically our only one, it's referred to as a community park and those are usually anywhere from 10 to 50 acres. Willis Park is at the small end of what's considered a neighborhood park, which are usually two to 10 acres. It's part of the City's quirkiness but we're trying to fit a lot into a park that wasn't designed for it. That's something you need to be sensitive to.

Item No. 11

Resolution Recognizing Georgia Cities Week April 17-23

City Clerk Hill: We'll be sending out emails with the schedule for the week. Some events will be going on throughout the week and others will be one-time things like coffee with city staff. There will be a selfie contest in front of businesses, trivia contest, kids' art contest. We will also try to have the Board of Mayor and Commissioners' work session that week somewhere outdoors. Keep your eye out for emails and on the Facebook page for more details.

Item No. 12

Public Comment

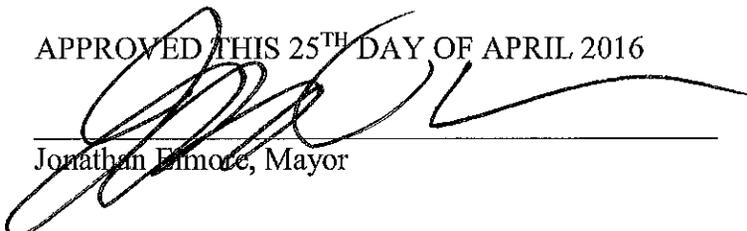
Candace Jones/9 Fairfield Dr: Parking is an issue all over the city. When the pool is open, the parked cars start to line up Fairfield. People park on both sides of the street and it can be very difficult to get through. At some point, we may have to start talking about parking on one side of the street only. It's only a matter of time before there is an accident. It's something the City will have to think about as we develop.

Item No. 13

Adjournment

Mayor Elmore moves to adjourn. Commissioner Yelton seconds. All ayes.

APPROVED THIS 25TH DAY OF APRIL 2016


Jonathan Elmore, Mayor

ATTEST:



Gina Hill, City Clerk