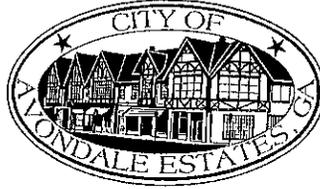


BOARD OF MAYOR
AND COMMISSIONERS

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
REGULAR MEETING
July 27th, 2016
(Immediately Following Public Hearing)

MINUTES

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

Staff Present: Clai Brown, City Manager
Gina Hill, City Clerk
Stephen Nicholas, Municipal Court Judge
Lynn Thomas, Police Chief

Item No. 1 Meeting Called to Order

Item No. 2 Invocation (Commissioner Fisher)

Item No. 3 Pledge to the Flag

Item No. 4 Adoption of Agenda

Mayor Elmore: I'd like to make a motion to amend our agenda to move the first item under new business to the top of the agenda.

Commissioner Fisher seconds. All ayes.

Mayor Elmore moves to adopt amended agenda. Commissioner Yelton seconds. All ayes.

Mayor Elmore: We have before us a resolution to confirm the appointment of Lynn Thomas as Chief of Police.

Mayor Pro Tem Giager: I've known Chief Thomas for a long time and he's always been very loyal and compassionate. He was there for my family through two deaths and stayed with us until everything was calm and settled. I commend you for the way you've lived your life and your character. I hope you'll stay and be a role model for the other officers. Congratulations.

Commissioner Beebe: I'd like to thank the entire police department. You do a great job. I'd like to thank the city manager for making such a great choice for the role of police chief.

City Manager Brown: We had a lot of great applicants, including three internally. It made me proud to see that we had the quality of officers here that qualify for the role. The other officers that applied support Lynn and I'm really excited. Retired Chief Gary Broden is here and I thank him for laying a great foundation.

Mayor Pro Tem Giager moves to adopt. Commissioner Fisher seconds. All ayes.

Judge Stephen Nicholas swears in Chief Thomas.

Item No. 5

Approval of Minutes:

- May 18th Work Session
- June 15th Public Hearing
- June 15th Special Called Meeting
- June 15th Work Session
- June 20th Public Hearing
- June 20th Public Hearing
- June 20th Regular Meeting
- June 22nd Special Called Meeting
- June 29th Special Called Meeting

Mayor Elmore moves to engross the minutes. Commissioner Yelton seconds. All ayes.

Item No. 6

Commissioner Updates – Subjects of General Interest and Concern

Commissioner Yelton: Summer is in full swing. I'm looking forward to the kids going back to school and it's a great time to be in Avondale Estates.

Commissioner Beebe: Almost 30% of residents voted in the run-off election yesterday which was way more than other cities. I'm proud that we are a voting city.

Commissioner Fisher: I agree. I think we get so caught up in the national politics and we fail to realize that the biggest impact we can make is on the local level. I think we've taken a step forward in improving Dekalb County and it's reputation. I'm proud of our citizens.

Mayor Pro Tem Giager: I want to thank everyone for coming to the meetings in July. There were a lot of them. I appreciate the involvement and we're proud that things are starting to happen. We've waited a long time.

Mayor Elmore: I'd like to thank everyone for bearing our four and five hour meetings. It's tough on us and City staff but it's worth it. It's what's required to get things moving forward.

Item No. 7

Monthly Report by the City Manager Concerning the Status of Matters in Progress and Upcoming Issues and Events

City Manager Brown: Fourth of July in the City was a huge success. I'd like to give special thanks to all our public works associates who arrived at 5:30 in the morning to our police officers who directed traffic all day long to City Hall staff that put everything together. A special thanks to all our sponsors and donors as well. We had the Clarkston High School Band, the Freedom Band, and former commissioner John Quinn with his bagpipers. We tried something new which saved us a lot of money and that was using Kahle Davis to DJ at the lake instead of having a live band.

The City received a confirmation letter from the Georgia Department of Audits and Accounts saying that no items were found in our 2015 annual audit. Our finance director Ken Turner does a great job. He wears many hats.

Also, a group of residents asked me recently about a sport called pickleball. They requested that pickleball lines be added to one of the tennis courts. So court #2 now has pickleball lines. There's actually a pickleball club here in the City and they have a Facebook page.

Item No. 8

Citizens' Comments:

"It's another beautiful day in Avondale Estates" -- Thomas P. Samford

Sidney Murphy/5 Clarendon Pl: I live right in front of the big triangle. When you're driving up Clarendon Place going north, you can't see traffic heading north on Clarendon Avenue. If you go up to where the police sit a lot, you can't see to the left. They were being cut back the other day which makes them look really bad. I would request that they be pulled up out of the ground.

City Manager Brown: They will be pulled out.

Joe Anziano/3242 Wiltshire Dr: I would like to thank the committee who hired Lynn Thomas as police chief. In my opinion, it was a courageous choice considering bad press that may be out there about his past record. He's a great choice for the job.

Item No. 9

Old Business:

- Ordinance Changing Board of Mayor and Commissioners Regular Meeting Time Change to 6:30 p.m.-- Second of Three Readings
- Ordinance Changing City Manager Spending Threshold on Non-Budgeted Purchases -- Second of Three Readings
- Ordinance to Amend the Zoning Ordinance of the City of Avondale Estates; to Provide for a New Central Business District Planned Development Zone; and for Other Purposes -- Third and Final Reading

Commissioner Beebe: This is for anything two acres and above, correct?

Mayor Elmore: Correct.

Mayor Pro Tem Giager moved to adopt. Commissioner Fisher seconded. All ayes.

- Ordinance Enacting a Board of Mayor and Commissioners Stipend – Third and Final Reading

Commissioner Beebe: The time it takes to do three readings has allowed my opinion to change. I thought it should not take effect until we are all out of office. I don't think we should vote ourselves a raise. But now, I feel we have so many volunteer organizations and boards and they're not getting paid. I know we've looked at other cities but maybe we should dare to be different. It doesn't make a difference for me whether I get paid or not but I'm actually more against it than I was before.

Mayor Pro Tem Giager: I stand with Commissioner Beebe.

John Pomberg/3288 Kensington Rd: I haven't made up my mind one way or another whether the stipend is appropriate or not. I have an opinion but it's mostly based on emotion rather than fact so I'll keep that to myself. I do have some concerns about how it's come to pass. The first is consistency. About a year ago during the millage discussions, the rationale to lower the millage rate was to relieve the tax burden on citizens. Now the BOMC (albeit with some different members) has reversed itself and is considering a stipend which amounts to a new twenty-six thousand dollar (\$26,000) tax item for the taxpayers. Once in place, we all know those things don't go away. Tradition has crossed my mind. The spirit of volunteerism has been a hallmark of living in Avondale Estates for the few years I have been a resident and presumably many years before that. If approved, the stipend will irrevocably scar that spirit and diminish the aura of volunteerism which has for so many years been a feature of living in the City. It's also been mentioned that workload could be a deterrent to serving on the BOMC. I don't buy that because in the last two elections there were five candidates – hardly a shortage. When annexation was recently a hot topic, BOMC members put forth extraordinary effort in hosting luncheons, attending neighborhood meetings, making personal calls on businesses, etc. During all of this, elections, annexation, tending to city business, I don't recall a single instance in which compensation was seriously discussed by the BOMC. If the workload is really that onerous, perhaps the BOMC should take a hard look at how their time is being spent to ensure the effort supports an efficient governance of the city and not the furtherance of personal or peripheral projects. Finally, perception. It's important to remember how and when the issue of compensation arose. If my memory is correct, the issue was initiated by the BOMC, not as an initiative of the citizenry, and after the election was held. I don't recall any mention of compensation during the period of time between the deadline to qualify as a candidate and the election. Regrettably, when viewed in the long tradition of volunteerism in Avondale Estates, the how and when of compensation arising has strong overtones of grubbing for nickels at the back door – overtones that should not be associated with the BOMC. In closing, my objection to the compensation issue for the BOMC, in particular the how and the when, is best expressed in the words of the late supreme court justice Anton Scalia in his dissenting opinion in the case of King vs. Burwell – this is pure applesauce.

Joe Anziano/3242 Wiltshire Dr: I was shocked when I moved here and found out the BOMC did not get paid. I said at the time that if it ever came up I'd

be all for it. I feel this should not go into effect for anyone currently in office. Now I'm not against the idea of you not getting paid either.

Commissioner Yelton moves to adopt. Commissioner Fisher seconds. Three ayes, two nays (Beebe, Giager)

- Board of Mayor and Commissioners Interim Intergovernmental Agreement (IGA) with the Downtown Development Authority (DDA)

Mayor Elmore: In this version, the DDA has a unilateral right to extend the ArtLot for 60 days after the initial 90-day period.

Commissioner Yelton: This IGA is just for the interim. Our goal is to have one that's more permanent and we're working hard towards that.

Commissioner Fisher: Also, this agreement doesn't extend funding. It's just so the ArtLot can be extended without having to go through the approval process again in case we haven't come to a full agreement.

Candace Jones/9 Fairfield Dr: What is the date of the start of the 90 days?

City Manager Brown: If the Board approves this tonight then it starts once the DDA signs it.

Joe Anziano/3242 Wiltshire Dr: Does the 60 day extension also include the money?

Mayor Elmore: The money stays the same. The first payment is sixteen thousand dollars (\$16,000), ten thousand (\$10,000) of which is for other DDA services with six thousand dollars (\$6,000) earmarked for ArtLot. Thirty days later another ten thousand dollars (\$10,000) and then another ten thousand dollars (\$10,000) thirty days after that. That's all for DDA services like marketing.

Commissioner Yelton moves to approve. Commissioner Fisher seconds. Four ayes, one nay (Giager).

Item No. 10

New Business:

- Chief of Police Appointment and Oath of Office (Moved to top of the agenda)
- Resolution Authorizing City Manager to Enter Into Contract for Road Maintenance Project CIP 2016-001

Commissioner Beebe moves to adopt. Commissioner Fisher seconds. All ayes.

- Resolution Appointing Two Members to the Ethics Board for the City of Avondale Estates

Mayor Pro Tem Giager: Mary Ann Anziano is very qualified and I'd like to thank her for volunteering.

Mayor Elmore: I'd like to say thanks to Josh Norris for volunteering.

City Manager Brown: I'd like to thank Megan Gurley and Andrew Cohen for their service on the ethics board. They did an excellent job.

Mayor Pro Tem Giager moves to adopt. Commissioner Yelton seconds. All ayes.

Item No. 11

Announcements (Commissioner Fisher)

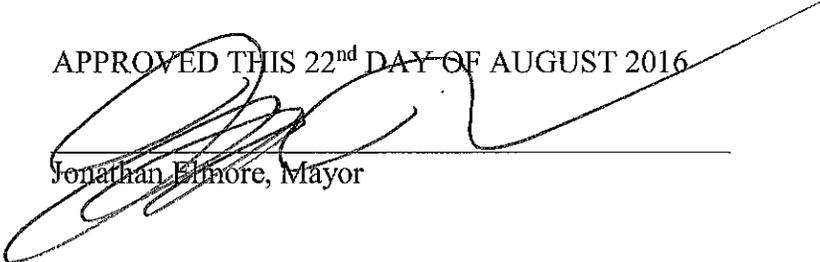
- Here's just a reminder that most schools are reopening the first week of August. Please plan commutes accordingly and keep an eye out for kids walking and riding their bikes to school.
- Also a reminder that the Avondale Estates Farmers Market season is in full swing. It takes place every Sunday in the parking lot of My Parent's Basement from 10 a.m. to 2 p.m.
- We regret to announce that Bev O'Neal Cochran, resident and former administrator of the United Methodist Children's Home, has passed away last week.

Item No. 12

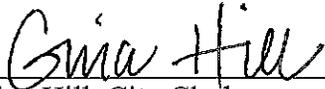
Adjournment

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

APPROVED THIS 22nd DAY OF AUGUST 2016


Jonathan Elmore, Mayor

ATTEST:


Gina Hill, City Clerk