

BOARD OF MAYOR  
AND COMMISSIONERS

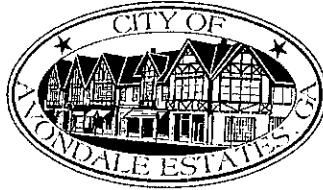
JONATHAN ELMORE  
MAYOR

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**

**January 23<sup>rd</sup>, 2017**

**6:30 p.m.**

**MINUTES**

- Members Present: Jonathan Elmore, Mayor  
Terry Giager, Mayor Pro Tem  
Brian Fisher, Commissioner  
Adela Yelton, Commissioner
- Members Absent: Randy Beebe, Commissioner
- Staff Present: Clai Brown, City Manager  
Gina Hill, City Clerk  
Lynn Thomas, Chief of Police  
Oscar Griffin, Director of Public Works
- Item No. 1 Meeting Called to Order
- Item No. 2 Invocation (Commissioner Giager)
- Item No. 3 Pledge to the Flag
- Item No. 4 Adoption of Agenda  
Commissioner Fisher moves to adopt. Commissioner Yelton seconds. All ayes.
- Item No. 5 Approval of Minutes:  
December 7<sup>th</sup> Work Session Minutes  
December 12<sup>th</sup> Public Hearing Minutes  
December 12<sup>th</sup> Public Hearing Minutes  
December 12<sup>th</sup> Regular Meeting Minutes  
December 19<sup>th</sup> Special Called Meeting Minutes  
Mayor Pro Tem Giager moves to engross. Commissioner Fisher seconds.  
All ayes.
- Item No. 6 Commissioner Updates – Subjects of General Interest and Concern
- Commissioner Yelton: I want to thank everyone for being here. I look forward to good input and conversation.

Commissioner Fisher: I want to thank City staff, Police Chief Lynn Thomas, and Director of Public Works Oscar Griffin for all their work on the potential snowy weather. It takes a lot of work to be prepared. I'd also like to compliment City staff on the new courtroom chairs.

Mayor Pro Tem Giager: I want to compliment the City residents on their Christmas decorations. It's great public relations for our City. I also want to thank everyone involved for moving the South City Partners along. They got their permits and supposedly started demolition.

Mayor Elmore: I just want to say that we just swore in a new president and administration. I hope in the next four years we can find some common ground and unify and move forward as a country.

Item No. 7

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

I would also like to thank all the associates involved in preparing for the winter storm we were warned about. The police had officers on stand by and chains on the car tires. The public works department really went above and beyond. Some even spent the night at the public works building and more arrived first thing Saturday morning to treat the streets.

I hope everyone has seen the improvements at Carl's Corner. The landscaping is done and if the Board wants to move forward we'll work to get a historical marker there. I want to thank Laura Sanchez for all her hard work. She did the landscape design. I also want to thank the City's garden clubs and women's club. They all donated funds for the landscaping.

The start of the South City Partners development is very exciting. They have done the asbestos abatement and the buildings will be coming down this week.

Finally, I want to give a shout out to Arthur Blank, Coach Dan Quinn, and all the Atlanta Falcons for making it to the Super Bowl. It's a great opportunity for our businesses to capitalize on the game by doing some exciting promotions.

Item No. 8

Citizens' Comments:

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

Sharon Saliba/56 Clarendon Ave: I want to thank Betty Jones and Miriam Lyons for coming to so many meetings over the years.

Item No. 9

Old Business: None

Item No. 10

New Business:

- Resolution to Introduce Local Legislation in the General Assembly for Annexation

Commissioner Yelton: We've been talking about this but I want to say that dialogue is happening and will continue with the areas on the annexation map.

Commissioner Fisher: I think it's important to give a timeline for how long we've been talking about this. It started last summer when we wanted to get a feasibility study and then have a year of discussions with all involved. With other cities being proposed, we thought it was important to get our bill in. We're committed to having all these meetings in the next few months.

Mayor Pro Tem Giager: I will be a no vote on this not because I don't think annexation or map is good for the City. I think the process was lacking in communication with residents in the new areas. I was in favor of having these meetings earlier so it wouldn't be a surprise to people. It is a surprise, however, because I have about 18 people who want to be removed from the annexation map. I think the people we would like to have annexed are on the map for the City of Prosperity. Those people may end up in one city or the other if the legislature passes anything. The commissioner behind the City of Prosperity has lots of pull and may be able to make it happen. So I'm for annexation but I'm against the process we have used. I will support annexation moving forward but this is a protest vote.

Mayor Elmore: Just to clarify, we're approving a resolution to ask one of our legislators to introduce the bill. The bill would have to be voted on and passed in both chambers. If it passed, it would be on a referendum in November. We could pick it up next year if it fails. There's also the option of doing nothing this year. We wanted to have the results of the feasibility study before meeting with residents in the new areas. If there are people here from those areas, please give us your name and contact information. We're trying to reach out to as many people as we can. It may go somewhere this year or not. Also, the map could change.

#### Public Comment

Sharon Saliba/56 Clarendon Ave: Why do we want to expand our borders unless we wanted to create a school system?

Mayor Elmore: That's not a goal. I think to do that, we would have to have a constitutional convention in the state. It's pretty locked down. Part of the reason we're doing it is because some other cities that are trying to form or expand are annexing areas all around us. This may be our only chance to add more residents and businesses and expand our tax base. I think our plan is reasonable compared to some others. We've heard from people who do want to be in the City and we've heard from those who don't.

Sharon Saliba/56 Clarendon Ave: But what is the benefit for us?

Mayor Elmore: An increased tax base.

Commissioner Fisher: We have limited commercial areas right now. We could double the tax base if we annexed Rio Circle. The state won't let you do just commercial annexation. But we also think it would be good just to expand our community. We could have more say in development that happens around us. We could also make the area safer with our police force. There would also be more people to help us reinvest in our neighborhood school, Avondale Elementary. All these areas would benefit from a redeveloped downtown. They would also benefit from better services.

Melissa O'Shields/1170 Bromley Rd: Are we not pursuing annexing the old Avondale High School up to the Sherwin Williams?

Commissioner Fisher: That's on the map.

Mayor Elmore: Better services is part of the sell. We do believe we provide better services.

Betty Jones/10 Lakeview Pl: What areas are on the annexation map?

Mayor Elmore: Here is a map I will pass around.

Uri Wurtzel/Decatur Terrace: It would've been nice to have heard about this process earlier. I just found out about it recently. We would like to stay in unincorporated Dekalb County. We have a tight-knit community of our own. We feel like all the municipalities are talking about us but not talking to us. It's frustrating. We'd like to have a larger gathering of our residents. We don't want to be part of a huge city but we're kind of like that now, a pocket of the county. Services can be spotty. Our interactions with Avondale over the years haven't made us want to be a part of it either.

Commissioner Fisher moves to approve. Commissioner Yelton seconds. Three ayes, one nay (Mayor Pro Tem Giager)

- Memorandum of Understanding (MOU) for Classic Main Street and Trademark Sublicense Agreement

City Manager Brown: The City was designated a Classic Main Street back in 2015. Each year we have to sign an MOU if we want to continue being part of the program. The trademark sublicense agreement is new this year. They require us to sign this if we want to use the Classic Main Street logo.

Commissioner Fisher: I'd like to thank City Planner Stevens for doing the hard work with the submission package. The DDA may be able to utilize some of the perks of the program over the next year.

City Manager Brown: There are only about 100 cities in the state that are classified as Class Main Streets.

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

- Resolution Approving the Qualifying Fees for the 2017 Municipal General Election for the City of Avondale Estates

City Manager Brown: The City has an election coming up this November and, by law, we have to approve a resolution saying what the qualifying fees are. The fee is three dollars. There will be two commission seats open and it has to be advertised.

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

- Georgia Department of Transportation (GDOT) Project Framework Agreement (PFA)

City Manager Brown: Around 2012, the City started the process to improve US 278. After many meetings and public input, the City was approved for a four-lane makeover with streetscapes, sidewalks, grassy medians. The City was awarded a two point eight million dollar (\$2,800,000.00) grant from the Atlanta Regional Commission. This is the project framework agreement with GDOT that allows all the documents and engineering to be invoiced and the City be reimbursed. One number changed on the agreement and we just got that this afternoon. So the Board needs to allow the Mayor to sign it after the City Attorney signs this new version. Signing this doesn't limit the City as far as options for the redesign go. But having it signed now won't hold up the process once a decision is made.

Heidi ???/2753 Zoar Ave: Does that study include the intersection at Sams Crossing? That's a difficult intersection and it will only get worse.

City Manager Brown: It goes up to that intersection. That intersection was part of a traffic study done in conjunction with Avondale Station development. It was done by Marta and the Decatur DDA. It was in the past couple of years.

Uri Wurtzel/Decatur Terrace: What's the timetable?

City Manager Brown: To do what we've already been approved for, once things get underway, three to four years. If it's the three-lane road diet, which would cost more money and require another study, it would probably add another one to three years.

Mayor Elmore: One of the things we were asking the GDOT was can you help us with this. Our goal is to make it a safer, nicer street. We

don't have a lot of money to spend chasing concepts. A lot of people at GDOT agree with our wishes. It may end up being a hybrid between the approved concept and a road diet.

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

- Resolution Supporting and Authorizing Submission of a Grant Application for Funds From the Georgia Department of Natural Resources Historic Preservation Division for Carl's Corner

City Manager Brown: This is the Board approving City staff to apply for a grant for a historical marker down at Carl's Corner. It's a 60/40 match so this is just saying the City would pay their share.

Sharon Saliba/56 Clarendon Ave: What will the improvements be?

Mayor Elmore: Phase one was brick work and fixing the structure itself. Phase two was the landscaping. Phase three will be a sign about the history of the City and Carl's Corner.

City Manager Brown: There are a few more minor things that need to be done.

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

- Intragovernmental Agreement (IGA) Between the City of Avondale Estates and the Downtown Development Authority (DDA) Regarding the ArtLot

Mayor Elmore: This is basically an extension of the IGA on the ArtLot through October.

City Manager Brown: A new addition is a 30-day clause allowing the City to exit the contract with a 30-day written notice.

Mayor Pro Tem Giager: This extension does not include any money. It purely allows the DDA to let the ArtLot use the property.

Mayor Elmore: The final inspection was called for last week. The inspector's comments are being addressed. The goal is to have the certificate of occupancy by the end of the month.

Sharon Saliba/56 Clarendon Ave: Will the DDA have to pay someone to host activities there?

Mayor Elmore: It will be a collaboration between the DDA and the Avondale Arts Alliance. They both have their own budgets. They will sell the artwork to raise money and have events to raise money.

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

- Repeal Ordinance Sec. 15-2-Same-Permit Required for Fishing in Lake Avondale -- First Reading Only

City Manager Brown: The current code restricts fishing permits to residents only. This would strike that ordinance, basically allowing anyone to fish with a Georgia state license. A catch and release rule will be added to the sign.

Mayor Elmore: We will read this two more times before voting on it.

Commissioner Yelton: Do we have to vote on the language on the signs?

City Manager Brown: No.

#### Public Comment

Melissa O'Shields/1170 Bomley Rd: Who will enforce the rules and ordinance?

City Manager Brown: It could be any City personnel that has the authority to do that. That's myself, Director of Public Works Oscar Griffin, Code Enforcement Officer Caryl Albarran, or any police officer, or people with the Georgia Department of Natural Resources. I can tell you that we won't be going around checking licenses unless we get a phone call for another purpose.

Mayor Pro Tem Giager: Basically, we're not changing anything because we're not doing it now.

City Manager Brown: The catch and release will be monitored.

Sharon Saliba/56 Clarendon Ave: Maybe once this is passed you could hand out an explanation about why you won't allow people to take the fish.

Commissioner Fisher: Hopefully, there will be enough fish there in the future that we can change that rule. Right now, there is not enough fish.

Mayor Elmore: We hope to dredge and restock the lake but that will take years for that to happen and the fish population to rebound.

- Arbor Day Proclamation

Being a Tree City, we should mention Arbor Day on February 17<sup>th</sup>. Stay tuned and watch the website calendar and e-news for scheduled events.

Item No. 12

Adjournment

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

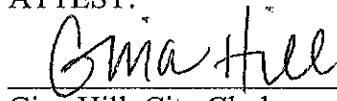
APPROVED THIS 24<sup>TH</sup> DAY OF APRIL 2017



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Jonathan Elmore, Mayor

ATTEST:



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Gina Hill, City Clerk