

MINUTES
CLARKSTON CITY COUNCIL
Tuesday, January 6, 2009, 7:00PM

Officials Present

Mayor: Lee Swaney
Council: Pat Davis-Morris, Karen Feltz, Wayne Foster, Warren Hadlock, Rosemarie Nelson, Emanuel Ransom
City Clerk: Tracy Ashby
City Attorney: Stephen Quinn

Mayor Swaney called the meeting to order at 7:00PM

Joan Swaney gave the invocation. The Pledge of Allegiance followed.

Recognition of Special Guest – State Representative Karla Drenner

Rep. Drenner wished everyone happy new year and announced the beginning of the new legislative session next Monday. She encouraged input from citizens and council members since the upcoming year will call for review of budgets and programs.

Recognition of Special Guest – Maria Mullins, Director of Economic Development, DeKalb County

Ms. Mullins expressed that she feels Clarkston is well-positioned to take advantage of new economic opportunities through small businesses, especially international business, and neighborhood redevelopment. She plans to have a conference focused on Clarkston and its needs sometime in the first quarter of 2009. She plans to come back to Clarkston to give more details of DeKalb County's plans and strategies as they are determined.

Recognition of Special Guest – Albert Edwards, Manager/Director of CERM

Mr. Edwards handed out a presentation that introduces the company and gave a brief explanation of the project to be done for the City of Clarkston and the personnel that will handle the project. Mr. Shawn Askew, Deputy Project Manager for the MS4 (Municipal Separate Storm Sewer System) Inventory project for Clarkston further explained details of the project.

APPROVAL OF DECEMBER MINUTES

Rosemarie Nelson motioned to approve the Council Minutes from December 2008. Emanuel Ransom seconded the motion. Discussion followed and Karen Feltz and Warren Hadlock objected to approval of the minutes in their presented form. The City Clerk requested comments be submitted in writing by email. Mayor Swaney instructed comments be conveyed to the City Clerk in any appropriate manner. The motion was tabled.

ZONING & REVIEW COMMITTEE REPORT

Diane Leonetti announced that she had no report to make and that her tenure as Chair of this committee is completed. Warren Hadlock expressed appreciation for her service on the committee. The Mayor and several council members concurred.

NEW BUSINESS: NONE

OLD BUSINESS: NONE

CORRESPONDANCE: NONE

CHIEF OF POLICE REPORT

Chief Scipio distributed the Police Stat Sheet. He highlighted that 1,244 service calls were made in the month of December 2008 and the total number of officers which patrol the City of Clarkston on a round-the-clock basis. The total number of arrests demonstrates the increase of crimes as projected by Chief Scipio at the November 2008 council meeting. Among the increased crimes are home invasions, vehicle theft, residential and commercial burglary, aggravated assault and armed robbery. He warned that the DeKalb County unemployment rate is

projected to triple by March 2009 and that crime tends to increase in times of economic stress. He encouraged Clarkston residents to be aware of their surroundings and be vigilant in order to assist law enforcement in curbing crime. He announced he will be holding a Police Public Safety Seminar for citizens of Clarkston from 4:00-6:00pm on Saturday, February 28, 2009. The Atlanta Regional FBI Task Force will offer information on identity fraud and theft. Chief Scipio reiterated the limited manpower available in the Clarkston Police Department and that citizen participation is critical to effective crime prevention. He explained the logistics of 911 calls being routed through DeKalb County, which has the potential to slow response time, and advised that for true emergencies, citizens can reach a sergeant on duty through the Sergeant Nextel phone number (678-414-7077). He offered his cell phone number to citizens, also (404-932-9112). He advised that residents who witness crimes or suspicious events should not report such events to City Hall, but through 911 dispatch or the Sergeant Nextel number and that photographs and videos of such events can be very helpful to law enforcement.

Karen Feltz asked Chief Scipio about the status of several noise violations by Eritrean Restaurant she reported over the Christmas holiday. Chief Scipio stated that no reports had been brought to his attention. Mayor Swaney stated that he had not passed the information along because a citizen complaint had been brought against Ms. Feltz. Ms. Feltz expressed her frustration that the matter had not been looked into by Chief Scipio. Mayor Swaney assured Ms. Feltz that he would discuss the matter with Chief Scipio and that appropriate action would be taken.

CITIZENS COMMENTS AND CONCERNS

Dean Moore stressed what the Chief has said about people in neighborhoods trying to break into houses. Some people were in his neighborhood posing as people looking for work raking leaves although they weren't dressed for work nor had any equipment with them. They seemed to be casing a house with a very small yard which had been broken into last year twice. He questioned the people and called the police for verification and no crime took place. He urged citizens to report suspicious behavior to help police prevent crime.

Diane Leonetti stated that she's noticed decreased activity around Inseccion and asked what was going on with that establishment. Chief Scipio explained that law enforcement has been able to determine that much of the traffic in the parking lot is loitering, and officers have been able to move idle people out of the parking lot. There is a fine line between enforcement and harassment of the establishment.

Ms. Leonetti asked if the City has saved any money using Waste Management for sanitation service. She also stated that the green and yellow canisters provided by Waste Management are too big and are unsightly along the streets. She stated that the large trash cans do not foster recycling but encourage creating more trash. She stated that most residents in Clarkston are single or couples, not large families, and most houses do not have garages, and the trash cans are too big for residents' purposes. Her opinion is that the trash cans out on the street makes Clarkston look trashy. She would like have smaller trash cans. She asked how to make residents remove empty trash cans from curbside. Karen Feltz complained that her mother cannot even open the lid of the trash can and doesn't want to have to call someone to move the trash can to the street for her every week.

Joan Swaney announced her candidacy for City Council in 2010.

POLICE COMMITTEE REPORT

Pat Davis-Morris reiterated the importance of citizens reporting suspicious behavior or people. She described an incident in her neighborhood during which she did not report suspicious people and there was a subsequent home invasion. She is concerned about how negatively perceived the City of Clarkston is. She is concerned that "AboutClarkston.com" is perceived as the City's official website which has spread misinformation to the public. She announced that the City is working to get street lighting put up at the end of Market Street.

Ms. Davis-Morris announced her candidacy for Mayor of the City of Clarkston in 2009.

FINANCE COMMITTEE REPORT

Wayne Foster made no report.

PARKS COMMITTEE REPORT

Warren Hadlock reported that there is a new kiosk at the Dog Park for community related news and postings. It was provided by Rupert Fike, a new resident to the city. The Dog Park continues to be a great success.

Mr. Hadlock acknowledged that some members of Council were upset that fees for use of the Dog Park had not been discussed before the Park was opened. He will raise the issue at the next work session for action to be taken at the next Council meeting.

PROPERTIES AND COMMUNITY AFFAIRS COMMITTEE

Karen Feltz distributed an outline regarding the current status and schedule for the Parking Lot/Storm Water Project and future projects. She stated that she will stay on top of the Parking Lot/Storm Water Project as it will hopefully be going out for bid by the end of the summer. The Georgia Department of Transportation will oversee the bidding process as well as other involved agencies and City consultants. Bidders must be pre-approved through vetting by the State of Georgia Department of Transportation and must comply with State mandates.

Ms. Feltz will continue her work with GMA on the Environment and Natural Resources Policy Committee, at the legislative level as the State enters a fourth year of serious drought. The committee works state-wide to address the needs of each regional watershed area. The City of Clarkston is located in the Metropolitan/North Georgia Water Planning District. This program represents all cities and municipalities at the state level.

Ms. Feltz has developed a marketing plan for the Women's Club. The website is behind schedule but signage is being made and other marketing work is moving forward. The Christmas event was a success.

Ms. Feltz would like to ask for interested volunteers and to reschedule the cemetery clean-up for spring 2009 since it did not occur in fall 2008.

Ms. Feltz has spoken to Rep. Drenner about assigning the City of Clarkston a unique zip code. This would separate the City from surrounding areas in terms of data collected by zip code which is used as crime statistic information and increases insurance rates. For such reasons, a unique zip code would be a valuable economic marketing tool.

Ms. Feltz will be working as Co-Chair of the Parks Committee on projects with Mr. Hadlock as is necessary, which will assist with economic development. It is hoped that the City will be able to reintroduce some of the previous programs operated through the 40 Oaks Nature Preserve as a positive marketing tool for the City. Some discussion followed regarding annexing the park into the City of Clarkston since DeKalb County, which currently manages the park, has suspended all programs.

Ms. Feltz reminded everyone that regarding water issues "everyone lives downstream."

STREETS COMMITTEE REPORT

Ms. Nelson introduced Mr. Stoner from Habitat for Humanity as a guest speaker since he arrived late to the meeting. Mr. Stoner announced that the Habitat for Humanity is building a home in unincorporated Clarkston. This is the first time a house has been built in Clarkston. It is a condominium property located on Brockett Place. It was donated by the owner. Work will begin in a couple weeks. He encouraged citizens of Clarkston to commit to helping for a day. He suggested Valentine's Day, during which time the property will be painted. Volunteers can call Jan Winfield at 404-534-1611 to sign up. Several immigrant families from Clarkston have been moved into Habitat for Humanity homes outside of Clarkston. Mr. Stone would like to build more homes in Clarkston but has not been able to find suitable properties. People interested in living in a Habitat for Humanity home can apply now online at DekalbHabitat.org. Mr. Stoner outlined the application process and what happens after a family is approved for housing. Mr. Stoner distributed printed information about the Habitat for Humanity program.

Ms. Nelson reiterated that DeKalb County received \$18,000,000 to assist property owners in foreclosure proceedings. Clarkston is eligible to receive some of those funds. Material on the Hope for Homeowners, a Federal program of assistance, was made available to the meeting.

Ms. Nelson announced that the storm water funds for December 2008 are a little less than \$250,000. Clarkston pays for street sweeping out of those funds. Streets will be swept six times over the next year by American Street sweeping.

Crosswalk requests must be approved by DeKalb County. Mr. Hadlock had requested a crosswalk at Montreal Road which involves MARTA. MARTA is recommending the crosswalk in writing to DeKalb County on the City of Clarkston's behalf.

MARTA will replace all bus stops in the City that are more than 10 years old. The City has requested two new bus stops; one at E. Ponce de Leon and Hill Street and one at N. Indian Creek and E. Ponce de Leon. Pat Davis-Morris asked about a bus stop being added at Jolly Street.

Rosemarie Nelson announced that CERM personnel would be working in the city in the next few weeks.

She stated that her committee is on track with the multi-city grant she is writing to have money refunded from the Federal Government for 2010. The mayors of Pine Lake, Stone Mountain, Lithonia and Clarkston will be meeting in the next week or two.

She stated that the community blood drive had 30 participants with 20 participants eligible to give blood. She thanked all participants.

She stated that 50 Christmas trees were brought to Bring One to the Chipper. Seedlings were not available at that time. She has names and contact numbers of people who will receive seedlings when they become available. The seedlings are dogwoods.

She announced that MARTA is having a public meeting to discuss its financial crisis at the Decatur Library on Wednesday, January 7, 2009 at 215 Sycamore Street in Decatur.

The November 11, 2008, Atlanta Regional Commission Neighborhood Forum's report has been issued. Report findings include:

- Local government should reflect the changing demographics of the region;
- Transportation systems could make it easier for groups to meet and the public transportation system should promote socialization;
- There is a need for activities, events and institutions that bring people of different cultures together; and
- There should be more effort made to encourage people of different backgrounds and income levels to live close by in Clarkston and around transportation corridors.

Copies of the full report are available by email link. Interested parties should contact Ms. Nelson after the meeting.

Ms. Nelson stated that upon review of City Personnel Ordinance 14-3, Article I In General Section 14-1 Purpose she noticed outdated wording and requested that some changes be made. The above referenced Section reads: "The general purpose of this chapter is to establish a personnel management system that meets social, economic and program needs of people of the City. This system shall provide means to recruit, select, develop and maintain an effective and responsive workforce and shall provide policies and guidelines for employee hiring and advancement, training and career development, job classification, salary administration, retirement, fringe benefits, discipline, discharge and other related activities. All appointments and promotions in the City shall be made without regard to sex, race, religion or natural origin." She asked to include "citizenship, political affiliation, disability, sexual orientation or any other characteristic protected by law and shall be based on merit and fitness only."

Documents outlining relevant City ordinances were handed out and mailed to council members. Outlines of the cities of Decatur, Savannah, Athens-Clark County and of Habitat Humanity ordinances were distributed. Updating the wording would serve two purposes; 1) to demonstrate the City's "big heart" to the City's citizens, vendors and partners, and 2) to demonstrate the City's sensitivity to people of protected classes and its ability to embrace other cultures.

Ms. Nelson moved to consider amending City ordinances as described above. Warren Hadlock seconded the motion. The floor was opened for discussion. A vote was held and the motion was carried. (6/0)

Mayor Swaney instructed that a full review of the amendments be conducted in a work session. Warren Hadlock stated that he is strongly in favor of the City taking a strong position as an open and affirming city.

Ms. Nelson stated that The Movie Tavern on LaVista Road has extended a discount to Clarkston police officers of \$5.00 tickets at any time.

SANITATION REPORT

Emanuel Ransom reported that after garbage and recycling cans were offered to citizens to review and no negative comments were received, selections were made according to the recommendations from Waste Management. After distribution however, some residents have complained that the garbage can is too big. Mr. Ransom offered that Waste Management has agreed to offer smaller garbage cans, in a limited number, to residents but smaller recycling cans are not available. Approximately 30 smaller cans are available. Residents can request a smaller garbage can through Mike Shipman. Karen Feltz stated that she requested a smaller can a month ago and has had no response from the City. She asked what the time frame should be to receive a smaller can. Mr. Ransom said he will make sure her request is fulfilled.

The first recycling pickup for the City rendered five tons of recyclable materials. The purpose of a large recycling can is to encourage more recycling. Recycling on this scale saves the City \$660.00 every time it is picked up.

[Comment from "Diane" was inaudible.] Mr. Ransom stated that the Sanitation Department has moved its personnel to Parks Department to cut the Sanitation budget. Warren Hadlock stated the City probably does not know how large a sanitation force it needs at this time. He will pass Diane Leonetti's concerns on to Vic Knight at Waste Management.

[Comment was inaudible.] Code enforcement can make sure residents remove emptied cans from the street. Pat Davis-Morris stressed that ordinance is in place governing placement of trash cans and perhaps those guidelines should be reiterated to citizens. Mr. Ransom suggested doing so in correspondence to citizens regarding sanitation procedures.

Mr. Ransom stated that a 1988 garbage truck is being auctioned and has been replaced by two new pickup trucks. The remainder of the grant money is planned to be used to repair the big white truck, which is used to pick up leaves.

Mr. Ransom thanked Diane Leonetti for being Chair and Assistant Chair of the Zoning Committee.

Mr. Ransom thanked Karen Feltz for the decorations for the Women's Club during the Christmas event citing many compliments he has received from citizens.

MAYOR'S REPORT

Mayor Swaney opened the floor to discussion as to retention or replacement of the City attorney. Pat Davis-Morris moved to retain the current City attorney. Wayne Foster seconded the motion. The floor was opened for discussion. Warren Hadlock requested a report on legal fees for last year. Tracy Ashby reported that attorney's fees for 2007 were approximately \$22,000 and fees for 2008 were \$50,910. Mayor Swaney instructed that all communication with the City attorney should be initiated through Tracy Ashby in order to consolidate interactions and minimize fees. Karen Feltz reminded the Council that attorney fees were higher in 2008 because many new policies and ordinances have been reviewed and/or implemented. Rosemarie Nelson stated that in her opinion the City's attorney has been very thorough in protecting the City's interests. At the conclusion of discussion, a vote was held and the motion was carried. (6/0)

Mayor Swaney opened the floor to discussion as to the retention or replacement of Pat Davis-Morris as Vice-Mayor. Karen Feltz moved that the Council reseal Pat Davis-Morris as Vice-Mayor for 2009. Wayne Foster seconded the motion. The floor was opened for discussion. Rosemarie Nelson announced her candidacy for Vice-Mayor. The Mayor called for a vote by show of hand on the motion on the floor. The vote was (5/ 1 – Rosemarie Nelson) in favor of reseating Pat Davis-Morris as Vice-Mayor for 2009. Karen Feltz moved that Rosemarie Nelson be seated as Vice-Mayor for 2009. [The motion was not seconded.] The Mayor called for a vote by show of hand on the motion. The vote failed. (1/5, Yes-Rosemarie Nelson, No – Wayne Foster, Karen Feltz, Pat Davis-Morris, Emanuel Ransom)

Pat Davis-Morris stated that she has received tremendous support from the Mayor, council members and staff and thanked the council for trusting her to hold the position of Vice-Mayor.

CITY ATTORNEY REPORT: NONE

Emanuel Ransom asked whether or not the Clarkston City judge needed to be reconfirmed. Mayor Swaney asked if accounting services had to be approved. Tracy Ashby related that the judge's position does need to be confirmed but that accounting services had been contracted for three years. Wayne Foster moved that Judge Nichols be retained as City judge for the year 2009. Warren Hadlock seconded the motion. The floor was opened for discussion. No discussion followed. A vote was held and the motion carried. (6/0)

The Mayor asked Tracy to provide him evidence of the requirement to reconfirm the city judge every year.

The Mayor announced committee assignments for the year 2009:

- Wayne Foster – Finance
- Pat Davis-Morris – Police
- Emanuel Ransom – Sanitation
- Rosemarie Nelson – Streets
- Warren Hadlock – Parks
- Karen Feltz – Properties and Community Affairs

The Mayor announced that he will serve on all committees and requested communication with committee chairs. There are no co-chairs for the committees. Budgets should be presented to Tracy Ashby. The Mayor will review each budget and return budgets to the full council for approval.

Wayne Foster moved that the meeting be adjourned. Karen Feltz seconded the motion. A vote was called and the motion was carried. (6/0)