

MINUTES
CLARKSTON CITY COUNCIL
Tuesday, April 5, 2011, 7:00 PM

Officials Present

Mayor:	Emanuel Ransom
Council:	Warren Hadlock, Dianne Leonetti, Dean Moore, Joan Swaney, Jean Brown, Adam White
City Clerk:	Tracy Ashby
City Attorney:	Stephen Quinn

Mayor Ransom called the meeting to order at 7:00pm.

The Pledge of Allegiance

Approval of Council Minutes

The minutes from the March 1, 2011 Council meeting were before Council for approval. Mr. Moore moved to approve the minutes. Ms. Brown seconded the motion. Mayor Ransom opened the floor for discussion. **A vote was called and the motion carried. (6/0)**

CITIZENS COMMENTS AND CONCERNS

Chris Busing, Mauck Street, commented on the code enforcement and he felt the system should be improved. The property maintenance ordinance passed this past meeting was by his perception not really from the council or written by the council. Mr. Busing feels some of this property maintenance came down from a higher source. Mr. Busing is not against a building or zoning laws but where it suits his purposes he will not follow them if his neighbors don't care or that he can plead it in court with a jury and he also spoke of a citation received last fall for a camper in has in his yard.

Martha Brown, Clark Street, wanted to make the point that people need to be more vigilant of animals that are tethered because of an attack on her dog from two pit bulls that though not serious was a very frightening and chaotic experience. Ms. Brown feels like a victim and because she had animal deterrent with her (pepper spray) she was able to deter one of the attacking dogs. Besides it being a terrible experience to her, she also is concerned because these animals are tethered in a neighborhood with children. Ms. Brown also wanted to be sure the police department had contacted animal control because of the length of time of the attack.

Vinh Glover, Clark Street, likes riding his bike around the community and he has seen dogs like this (tethered) and strongly feels that we need to take care of this problem. What if the next time it could be a pregnant mother or a baby in a stroller? We should not be so naïve as not to do something about this.

Mayor Ransom did speak with DeKalb County Animal Control to at least ride our city at least once or twice a week as a preventative measure.

CHIEF OF POLICE REPORT

Capt. Hudson stated that the crime mapping is up on the website. Last month (March) the Clarkston officers wrote 577 tickets, they answered 138 incident calls, had 23 accidents and made 70 arrests. Capt. Hudson also stated that the officers like the 12 hour shifts which gives them more time for their families.

NEW BUSINESS

Application for Permit-Beer/Wine/Liquor by the Drink-Kathmandu Restaurant, 926 Montreal Rd., Suite #11

Mr. Raju Thapa and Ms. Judy Abna were available to answer any questions. Mayor Ransom opened the floor for discussion. Mr. Moore inquired if besides the beer and wine he would be serving liquor by drink. Mayor Ransom asked Mr. Thapa if he knew what the requirements are to serve alcohol in your premises. The Mayor opened the floor for comments from citizens concerning this permit. Graham Thomas, Market Street, inquired if they had a background done. Vinh Glover feels we should support them. Ms. Leonetti also commented on how good the food was at their restaurant. Ms. Leonetti made the motion to approve the alcoholic beer and wine and liquor by the drink license. Ms. Swaney seconded the motion. **A vote was held and the motion carried.**
(6/0)

Milam Pool Project Manager

Mayor Ransom had information placed in the packets for the council members that Dan Cohen had collected the applications of project manager for the Milam Park Pool. We are just going to discuss this right now because the selection process has not started yet. Mr. White wondered if they could look at what the basic criteria we were looking for. These are the bids Dan took in and they will be in my office (Mayor's) if you would like to look over them. Mr. Cohen recommends we handle this as we did the City Manager position except we select three and each will have a separate presentation. Mayor Ransom stated we need to move forward on this if we want to open the pool by July.

Discuss change to place Police Dept. under City Manager Control/Home Rule Change- Warren Hadlock

Mr. Hadlock stated the City Council asked for a memo from the City Attorney discussing the accountability of the Police Chief and he would like clarity as to who the Police Chief would fall under. Right now under the current personnel code, the council as a body would hire or fire the Chief and his position does not fall under the Mayor or the City Manager. The City Attorney pointed out that as it stands now, the Mayor can discipline the Police Chief with appeal to the City Council. The discussion among the council members was on if the charter should remain the same or change with the City Manager over the Police Chief and the police department, or have the Mayor, or City Council but to decide what they felt would be the best choice. One question was if it was more typical to see the City Manager governing all departments including the police department or is it varied. The City Attorney stated that he is not sure what the convention is, but, from other cities he has worked with is that the Police Chief is autonomous from the City Manager and he has never had an instance where the City Manager has wanted to exercise any discipline over the Police Chief. Mr. Quinn will do a survey of local jurisdictions whether or not their Police Chief is under their City Manager. Mr. Quinn will also draft an ordinance to change code section 560 such that the Public Works does not direct the code enforcement officer. Mr. Hadlock will volunteer to go online and survey other cities.

Discuss Change to Charter for Mayor Succession Process – Dean Moore

Mr. Moore stated that something that was not realized from a set-up in the past was being under a Mayor who was not elected to be Mayor and so this is a process he would like to eliminate. What he would like to do is if a Mayor is unable to fulfill his term it would be a good idea to have an election within the first year. If it is scheduled for that year to come up in November then we could possibly wait until November, but if it is not scheduled for that November, to see what it would cost to have a special election within three months of the Mayor passing or for whatever reason that incapacitates the Mayor from fulfilling his duties. The City Clerk (Ms. Ashby) stated the special election costs at approximately \$2500.00 and pointed out the state has set specific times of when a special election can be held so the City couldn't designate their own time. The City would have to go within their time frame (March, June, July, and November). The City Attorney pointed out you would have to give people time to identify themselves as candidates. The City Attorney will make a draft.

Discuss Increase to Court Fees/Fines

Mayor Ransom explained that he and the Police Department were discussing the fees so they spoke with the Judge who approved an increase because we have the lowest fines around here. So all the regular fines were increased by 2% and the most severe crimes were increased by 5% and the Judge has implemented it and approved them. We wanted to let the Council know of that slight increase of fines.

Resolution-Local Adoption for Approved DeKalb County Hazard Mitigation Plan

This is a required contract from the County for the City of Clarkston. This is a resolution that the City Attorney created upon the request of the City Clerk based on the request from DeKalb County to the City Clerk. Mr. Quinn read the resolution. The Mayor opened up the floor for discussion. The County has already passed this and asking all the cities to put this in so we can be eligible for the funds in the future. Mr. Moore made a motion to table it. Ms. Swaney seconded the motion. This is a motion to table it until council receives Exhibit A. **A vote was called and the motion carried. (6/0)**

Guest-Stormwater Training Presentation-Myra Hagley

Ray Wilkie the Stormwater Supervisor for DeKalb County Watershed Mgmt. is here to talk about Stormwater overall and this is a requirement for our permits not only for stormwater but waste water from across the county. Part of the requirement from the state is that the local governments that support us give some additional background and awareness training. Mr. Wilkie brought folders/brochures to give an overall awareness. Example would be FOG for business licenses involving restaurants that must be part of the process before issuing a license.

He gave a power point presentation for all present.

Planning and Zoning Report

Mr. Wright commented on last month's meeting when a public hearing was supposed to be held to hear the Dollar General's sign variance request, but no representative for their company was present. Mr. Wright indicated that Dan Cohen told the Committee Members that Dollar General didn't need to attend the meeting. So we have advertised again for the public hearing for the Dollar General Store which will be held next Monday night the 11th (April) and I invite all of you to come if you have any comments. At the last meeting the committee recommended that we table the sign requests for the Dollar General and let it come forward on the public hearing with the proper documentation. We received no information on the sign or where it was going to be placed. The only thing we had on the agenda was to discuss the sign permit for the Dollar General and one across the street. There were no drawings, no measurements or anything. So we recommended in the minutes that we table it until this coming Monday night the 11th. Mr. Wright is concerned about the sign already on the building (Dollar General) and I'm not sure if it conforms to code or not because we have no drawings and was okayed by our acting Public Works Director and so I hope that the committee receives the proper application, documentation, and measurements for the public hearing Monday night. The code only allows one sign and not two or three signs. Mr. Glover said Dollar General should take down the wall sign and give them the monument sign which would look more aesthetic. The City Attorney had pulled out the package that Dollar General submitted to the City which the Council approved with the variances and it had a picture with the wall sign on the building (package is not with him at this time).

Correspondence

Ms. Ashby read an email from John Kilharris having the Fugees honored at the Community Hero's Award Ceremony on April 10, 2011 at the Callanwolde Fine Arts Center. Then from C.E.O. Burrell Ellis Jr. to Coach Mufla and the Fugees Family Inc. has been selected to receive the 2011 Community Hero Youth Volunteer of the Year Award.

Received from McEachern Dredging a final invoice and they also expressed their thanks for working with the good people of Clarkston and even though they were deeply saddened with the loss of Mayor Tygrett we are so glad that you (Mayor Ransom) and the others are carrying on the vision of the city of Clarkston.

Carrie Foster wrote a letter as an unsolicited testimonial of the good work of Signature Auto and its proprietor Mr. Teco Jones in assisting me and many others repairing and maintaining our trucks and cars. The letter stated that Mr. Jones' work is exceptional and that he has also improved the looks of the property.

Old Business

City Attorney's Report

Mr. Quinn stated that the Mayor asked him to remind the community about the existing charter and what the situation is there and that under the City Charter section 2.05(b), the Vice-Mayor assumes the duties of the Mayor and shall serve out the Mayor's term upon a vacancy occurring in the office of Mayor. The term will end in 2013 and the election for the next Mayor of Clarkston will be on the first Tuesday of the month of November 2013.

Mayor's Report

Good news. Our lake is finished and restocked. We have the fish in it now and have 3000 more coming from the Wildlife Department and we are asking our citizens not to fish in the lake for one year. Signs will be posted. The fence is finished and I decided to replace the old chain link fence on the opposite side of the street to match the fence on the lake side. Also I met with a DeKalb County Engineer about putting a 20'X20' handicap ramp coming from the dock and we are going to ramp the other side of the street to make it ADA accessible and put an 8' crosswalk with pedestrian signs there and on each end of the turns they will be putting up the real reflective pedestrian signs and DeKalb will also restripe the street. Mayor Ransom thanked the Council for being the spearhead that helped get the lake done.

We had to replace lights with new fixtures because we are unable to fix or replace the ones that burned out and in the process of doing this work the electrician upon going downstairs pointed out that our box was a fire hazard so we put in a complete sub-panel to alleviate the situation which had to be fixed and so this was an emergency.

The property maintenance clean-up that we are doing now is great and the reason I'm backing this property maintenance code is because it is affecting the property values of Clarkston.

After having lunch with some developers this week it looks very promising that they are going to buy Carroll Park and build us fourteen cottages.

DeKalb County has paid us back the entire sum that we were required to get back which was 70% of the money we spent for the lake (in stormwater account).

I have been requested to announce earth day clean-up is Saturday April 30, 2011 from 9:00 am to 1:00 pm. The city will host the community clean-up along the railroad track, E Ponce de Leon and Church Street.

We are getting a credit card machine upstairs so we can use this for the fines and for permits.

On June 4th will be our next Townhall Meeting and we will do another mailing before date and we will put it on the website.

COUNCIL COMMITTEE REPORTS:

Committee reports will be submitted in writing in minutes, No verbal report to allow for Stormwater presentation.

Roads and Drainage

Roads and Drainage Committee Report:

Each year Keep DeKalb Beautiful (KDB) participates in Keep America Beautiful Great American Clean up initiative as a part of DeKalb County's EARTH DAY activities. On Saturday, April 30th, 2011, from 9 a.m. to 1 p.m., the City will host a community clean up along the railroad tracks/East Ponce/Church Street.

KDB will provide supplies such as garbage bags, brown reuse bags, plastic gloves, pick-up sticks, safety vests, and t-shirts, as supplies are available for up to 30 people. Pick-up sticks and safety vests will need to be returned.

Finance Committee Report

No Report

Police Affairs Committee Report

No Report

Community Activities

No Report

Buildings and Grounds Committee Report

The Woman's Club has a new roof and looks great.

The dock has been installed at the Clarkston Lake and the fence is being installed.

This week we are interviewing applicants for our City Manager position.

The WRFG radio benefit at the Clarkston Community Center is a big success again.

The Refugee Family Services is hosting Taste of the World at the Atlanta Zoo this Saturday, April 9, and features basketball star and philanthropists Dikembe and Rose Mutombo and a silent auction.

We are currently organizing a Clarkston clean up day for April 30.

Media Committee Report

I continue working on a City of Clarkston website update project and will have a presentation for the April work session and possibly the May Council.

Parks and Recreation Committee Report

No Report

Sanitation Committee Report

No Report

Ms. Swaney moved to adjourn the Council meeting and pay Council bills. Ms. Brown seconded the motion. No discussion followed. **A vote was held and the motion carried.** (6/0)

The meeting adjourned at 9:00 pm.