

MINUTES
CLARKSTON CITY COUNCIL
Tuesday, June 7, 2011, 7:00 PM

Officials Present

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

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

The Pledge of Allegiance

Mayor Ransom recognized former Council Woman / Vice-Mayor Ms. Pat Davis-Morris before going forward on the council meeting.

Approval of Council Minutes

The minutes from the May 3, 2011 Council meeting were before Council for approval. Mr. Hadlock moved to approve the minutes. Ms. Swaney seconded the motion. Mayor Ransom opened the floor for discussion. Mr. Moore asked about the 1st read for the fill Mayor/Councilman vacancy which was on May agenda and now June agenda. Mr. Quinn (City Attorney) explained a change was made to that ordinance to adjust for a change in State Election Law in regards to the City Council section so now this ordinance has been altered from the version at last months meeting. **A vote was called and the motion carried.** (6/0)

CITIZEN COMMENTS/CONCERNS

Chris Busing, Mauck Street, felt the city clean-up was really good and feels the city could maybe give out a Clarkston t-shirt for these events. Mr. Busing attended the Sheriff Mack Seminar and it was a serious discussion on law enforcement/peace keeping and was an exciting event. He felt the property maintenance ordinance was not intended to provide for the warrants to go into your house.

Debbie Gaffman, Mell Avenue, concerning a shooting in her neighborhood and that the police knew that there was drug activity in the neighborhood and why doesn't Clarkston network with DeKalb County. There has been one home invasion, 8 burglaries, a car stolen and items stolen from their garages and cars. She asked for help and was concerned decreases to their property values are dropping because of this.

Pat Davis-Morris is glad we have finally started work on the swimming pool. Ms. Morris had the opportunity to meet and talk with the new code enforcement officer and was wondering if there were any particular procedures for reporting something that is a responsibility of Public Works. She asked if the vacant lot at the end of Smith Street still owned by the city and she was concerned that the property was allowed to become overgrown before it was maintained. Ms. Morris also mentioned that upon driving around the city she noticed a lot of residential trash that have not been picked up for extended periods.

NEW BUSINESS

FUGEES Memorandum of Understanding

Mr. Quinn (City Attorney) stated the task was to renew the agreement for the Fugees to practice exclusively during a specified period of time and that has remained the same in the agreement. They pointed out that a couple of items were not addressed in the previous draft and those are included in this draft version. The time will be Monday thru Thursday 4:30 pm to 8:00 pm. Also, instead of putting in an end date on the agreement, it

will go to a month to month basis where either the Fugees or the City can cancel the agreement with a thirty day notice. The monthly payment is \$400.00. Mr. White made the motion to approve this memorandum of understanding between the Fugees Family Inc. and the City of Clarkston effective tomorrow, June 8, 2011 and continue on a month to month basis indefinitely until terminated by either party upon receipt of the thirty day notice. Ms. Leonetti seconded the motion. The floor was opened for discussion. Mr. Hadlock inquired on the payment amount. **A vote was held and the motion carried. (6/0)**

Milam Pool Contract Change Order for Water Features/Amenities & Non-Monetary Plan Revision

Mr. White made the motion to approve execution of contract change order #1 with Leslie Contracting which involves some additional task order features in the amount of \$19,450 and he moved that we authorize the Mayor, the City Manager and the City Attorney to execute the contract as per this change order. Mr. Moore seconded the motion. The floor was opened for discussion. The City Manager gave a brief summary of what items were added back into the contract with this change order. Mr. Hadlock asked about the aesthetics of the cinder block and the towel dispensers instead of the extreme air blower and the interlocking gate. Mr. Kaiser said the outside storage will be a stucco finish that is like the stucco finish on the main building. The dryers are not included in the plans; only the paper dispensers which are not showing on the plans. He said that turnstiles are an allowance as a part of the contract and nothing has been resolved yet on that item. The contractor will present to the City Manager details and number of alternatives for turnstiles. Mr. White amended his motion to approve the execution of the contract change order #1 with Leslie Contracting, Inc. for various project additions to the Milam Park Aquatic Center in the amount of \$19,954 and to authorize the Mayor, the City Manager and City Attorney to execute this contract on behalf of the city. Mr. Moore seconded the motion. **A vote was held and the motion carried. (6/0)**

Mr. White made a motion to approve the execution of the contract change order #2 with Leslie Contracting, Inc. for a non-monetary change order for replacing the existing plans identified in the February 11, 2011 contract documents as depicted in the May 4, 2011 revised building and pool plans approved by the City of Clarkston and to authorize the Mayor, the City Manager and City Attorney to execute this contract on behalf of the city. Mr. Moore seconded the motion. **A vote was held and the motion carried. (6/0)**

Postage Meter Contract

Mr. Barker (City Manager) presented the information on the postage meter and additional research on other companies. Mr. Moore made a motion to accept the Hasler WJ65 three year contract at the rate of \$34.95 monthly, \$104.85 quarterly and to work out any details and pending approval by the City Attorney. Mr. White seconded the motion. The floor was opened for discussion. Mr. Moore inquired what was spent in postage last year. **A vote was held and the motion carried. (6/0)**

Complete Streets/Resolution – Jean Brown

Ms. Brown gave a description of Complete Streets which is streets designed to be safe for all users including pedestrians, bicyclists, transit users, emergency vehicles and for people of all ages and abilities. Ms. Brown made a motion to ask that City Council approve Complete Streets Resolution as drafted and to give the Mayor authorization to sign. Mr. White seconded the motion. The floor was opened for discussion. Mr. Hadlock asked if the City Manager had an opportunity to look over the resolution. Mr. Barker did review the resolution and information that Ms. Brown sent to him and compared this to our L.C.I. and feel very comfortable in supporting this resolution. **A vote was held and the motion carried. (6/0)**

Discuss/Set Proposed Millage Rate for Publication in Millage Adoption Process

Mr. Hadlock made a motion that we authorize staff to advertise a proposed millage rate of 14 mills for publishing and discussion purposes only and that we hold the required public hearings on June 23, 2011 and two on June 30, 2011. Ms. Swaney seconded the motion. The floor was opened up for discussion. Mr. Barker

(City Manager) read the 2011 millage rate process and the City of Clarkston has received our first valuation reports from DeKalb County in preparation of the millage adoption process. DeKalb has requested that our final millage rate setting process be concluded and the results transmitted before July 1, 2011. The calculated rollback rate for 2011, the rate the city would need to adopt in order to receive the same tax amounts as last year is 13.684. The rollback millage rate is higher than the 2010 adopted millage rate of 11.313 mills as a result of the re-evaluation of the tax digest. Staff is recommending that the City Council consider advertising a millage rate of 14 mills for publishing and discussion purposes. The Council is not required to adopt the proposed millage rate advertised. Ms. Ashby (City Clerk) stated what requirements are necessary for the millage adoption process and read the publishing schedule and meeting requirements. Mr. Hadlock restated his motion that we authorize staff to advertise a proposed millage rate of 14 mills for publishing and discussion purposes only and that we hold the required three public hearings on June 23, 2011(7pm) and June 30, 2011 (10:30a and 7pm) . Ms. Swaney seconded the motion. **A vote was held and the motion carried. (6/0)**

Planning and Zoning Report

Mr. Wright stated no meeting was held last month because no applications were presented although there were in the April meeting five sign applications submitted that were incomplete and recommended they go back and bring us the proper documentation. None of the applicants choose follow with correcting their applications so P/Z Committee will hold another meeting on the 27th (June) and prior to that Mr. Wright would try to get a letter out to those applicants and ask for a response. He had spoken with Dollar General who withdrew that was not documented. Mr. Wright said he have not heard from the new restaurant. He stated he spoke with Noreen (Receptionist) about the sign at 887 N. Indian Creek Drive and discussed when applications need to be sent to P&Z.

Correspondence

Ms. Ashby read a card from Diane Austin to Mayor Ransom thanking him for his prayers and kindness. Wynette Willis sent a letter concerning the upcoming mosquito season with our arbor viral program that deals with mosquito traps like what was done last year in Clarkston.

OLD BUSINESS

Ordinance-Police Dept. under City Manager Control/Home Rule Change (2nd Read) (1st Vote to adopt)

Mr. Quinn did the 2nd Read of the drafted ordinance to amend the City Charter, Section 3.02 regarding the City Managers powers and duties. This ordinance must pass at two consecutive regular meetings as a requirement of home rule charter amendment by the Council. Mr. Hadlock made the motion that we accept the draft ordinance as written by the City Attorney. Mr. Moore seconded the motion. **A vote was held and the motion carried. (6/0)**

Ordinance-Fill Mayor/Council Vacancy Process/Home Rule Change (1st Read)

Mr. Quinn did the 1st Read and reminded everyone that the procedure would also need to pass at two consecutive regular meetings since this also is an amendment to the City Charter. This ordinance will change the procedure of how the vacancy of the office of mayor is filled (Section 2.05). If the vacancy occurs in the office of a council person and a regular municipal election will occur within 12 months of the date of the declaration of such vacancy then the City Council may appoint a qualified person to fill such vacancy until the next regular city election. If upon declaration of a vacancy in the office of council person it shall be more than 12 months to the next regular municipal election a special election shall be held to fill the vacancy. The special election will not be held less than 60 days and not more than 180 days from the date the vacancy is declared.

Resolution-Local Adoption for Approved DeKalb County Hazard Mitigation Plan

Mr. Barker (City Manager) spoke concerning the Clarkston section of the DeKalb County Hazard Mitigation Plan that needed changes and we have made the appropriate changes and that he had also communicated with

Lieutenant Craig Medland who is organizing this process for DeKalb County and have sent him our proposed changes. They are waiting for the board to both ratify the resolution and once they are notified tomorrow morning, assuming that happens, they will be in the process of making those changes permanently in the DeKalb County Hazard Mitigation Plan. So the Council would need to adopt the resolution or advise if there are any other additional changes that need to be made. Ms. Swaney made the motion that we approve the resolution and adopt this Hazard Mitigation Plan and give the authorization to the City Manager to execute all the necessary documents. Ms. Brown seconded the motion. The floor was opened for discussion.

Chris Busing asked for a brief description of the Hazard Mitigation Plan. Mr. Barker gave for an example a toxic chemical accident and how with a plan to respond and mitigate which would help minimize the risk to the citizens. Mr. Moore stated one of the items was high winds. **A vote was held and the motion carried. (6/0)**

Police Department – IT Request

Ms. Swaney made the motion to approve the proposal submitted by Go Technology Management in the amount of \$20,153 to be paid out of the asset forfeiture account to complete the purchase and installation of Dell office desk top computers in the Police Department and the Court Clerk’s office and for the renewal of the two year warranty for the Dell server and to authorize the City Manager to execute all necessary documents. Mr. Hadlock seconded the motion. The floor was opened for discussion.

Mr. Barker stated this was presented at the May council meeting and was held over for the City Manager to review and he had conducted that review in consultation with Capt. Hudson, Police Chief Scipio and consultant Mr. Dudley Wells who is present at the Council meeting. Mr. Barker stated he personally went down and observed some of the difficulties/problems that the police officers were experiencing as a result of the out dated equipment. Primarily the problems had to do with new and additional software.

Mr. Barker said that staff’s recommendation is to approve this proposal and pay for it out of seized asset funds.

Mr. Moore asked the question if we have the capacity to direct seizure funds. Mr. Barker responded that there are specific criteria that those expenditures must fall under and what he **has typically done in the past I have made these recommendations in consultation with and in concert with the head law enforcement official to make sure that everyone is on the same page.** Mr. Moore also asked if the funds could be spent without their authorization and the answer was “no sir”.

A vote was held and the motion carried. (6/0)

CITY MANAGER REPORT

Mr. Barker would like to submit something weekly and then summarize it on a monthly basis and not only my activities but the different departments. I believe in transparency and so it is my intention to put this sort of report on a weekly basis on our website so citizens can see what’s happening in your city, what your City Manager is doing, what your departments are doing, how your tax dollars are being spent. Mr. Barker read off the different categories that will be on the report which will include all the departments. I think the Milam Park Pool Project is very important and critical and represents our biggest project here in Clarkston right now and I want you to understand what we are doing to effectively manage that process and I think that it was a very wise decision to hire Mr. Kaiser as a construction manager. You need someone that has the time and expertise to manage that project. I will be meeting with Mr. Kaiser, the contractor and all appropriate subs on a bi-monthly basis which will also include the representative from the DeKalb County Community Development since we are funding most of this out of Community Development Block Grant Funds to make sure the project stays on time, stays on track and most importantly comes in under budget. Any pertinent decisions that need to be made or information that needs to be transmitted then you will get that information from me with the assistance of the construction manager. I would also like to talk to you about Catherine Fox who has helped to pull us out of a dire situation. Ms. Fox has put together a very well thought out and very well received Stormwater

Management Plan that had been transmitted within the deadline and we have not heard back from them yet (DeKalb County Stormwater). We have been doing more training for our public works workers and doing business inspections but more emphasis on education than punitive measures where we are helping our businesses understand the sources of pollutants and to correct any behavior that needs to be corrected. This was well received and everyone was very cooperative. The Mayor and I attended a meeting hosted at Avondale Estates and all the cities within the county were invited and the purpose of that meeting was to explore opportunities for coordination among all the municipalities with DeKalb County regarding any future annexation efforts.

Mayor Ransom recognized a new citizen to Clarkston Ms. Betty Amin who just moved into the Avalon Estates. Ms. Amin asked if there was ADA on Milam Pool and the answer was yes.

Debbie asked if we were aware of the school district lines.

CHIEF OF POLICE REPORT

Capt. Hudson gave a copy of the new stat sheet to everyone. Officers wrote 163 incident reports, worked 22 accidents within the city limits of Clarkston, arrested 70 people and wrote 475 citations in the month of May.

CITY ATTORNEY REPORT

Mr. Quinn wanted to bring to the attention of the Council, (if they were not already aware), that the Georgia General Assembly this spring did pass Senate Bill 10 which authorizes the Retail Sale of Alcoholic Beverages on Sunday. Each County or City their local government has the opportunity to authorize a referendum which if passed by the Council and passed by the citizens packaged sales of malt beverages, wine and distilled spirits would be available for sale by the package on Sundays.

COUNCIL COMMITTEE REPORTS:

Media Committee

Ms. Leonettie spoke about the 4th of July Parade coming up next month and we will be including the Clarkston Community Center this year and we invite everyone to join us. The parade will start at the back parking lot with lots of goodies for the kids to decorate their bikes, strollers, mom or dad's truck. We will wind our way over to the Community Center and read the Bill of Rights, cook some hotdogs, and we'll have some fun and arrange some kind of music to march us over to the Community Center.

Public Works

Mr. Moore stated there are some streets around the city that need to be paved and a couple that were paved. I would like to have the County or whoever is responsible to take a look at Wilson Street and to have someone take care of the potholes. Mr. Barker is meeting with Ted Rhinehart on Thursday so if there is a "wish list of issues" please be sure I get that (send via email).

Police Affairs Committee Report

Ms. Swaney had nothing to report.

Finance Committee Report

Mr. Hadlock touched on the two grants for Friendship Forest (\$10,000) for fixing up the pavilion and the re-introduction of native species of trees and we have spent about \$3,000. Invited people to go to Friendship Forest to see the change since they did the clearing and have opened it up quite a bit. The \$25,000 Grant for the removal of hard surface and hopefully we can RFP that in August for the removal of the tennis courts, old basketball pads and some other hard surfaces in Friendship Forest.

Parks and Recreation Committee Report

Mr. White asked the City Manager if he would like to speak of their preliminary discussions with the U.S. Tennis Association. Councilman White and I, about three weeks ago, met with two representatives of the U.S. Tennis Association and the purpose of that meeting was to discuss the possibility of Clarkston (Milam Park Tennis Court) being the first project whereby they in exchange for free resurfacing of the tennis courts they would take one of the courts and retro fit it into four smaller courts for the purpose of under eight and under ten tennis. So we would get free paving of the tennis courts and they would get a pilot project where they would reconfigure that one tennis court for under ten and under eight kids. They also have special tennis balls with different compression designed for smaller kids so the balls won't bounce all over the place. There would also be size and age appropriate racquets. The ultimate goal is to get more kids in that age group participating in organized tennis thru the U.S. Tennis Association and the big goal is enough attention/interest so that it would actually support a tennis pro providing lessons for that age group. I am meeting with the representatives on Friday to finalize those arrangements. They have taken this to their superiors to do some further research on the demographics in the area and that has checked out. So after Friday I will have more information. Their time line is to have this finished before July 13th before the U.S. Tennis Championships.

Roads and Drainage Report

Ms. Brown had nothing to report.

MAYOR'S REPORT

Mayor Ransom spoke of the fund raiser for Officer Lowe's daughter by Representative Karla Drenner at the Women's Club, (after she returns from vacation), for a seizure dog and would like to thank everyone that have already donated. We have almost a \$1,000 raised so far. The second thing is our annual fish fry at the Positive Growth Boys Home on the 11th of June (11:00 am - 5:00 pm). I would like to recognize that we have been put in the Crossroads again concerning the Milam Park Pool Project and it was a very uplifting article about our pool. I would also like to compliment the City Council for passing the ordinance for home rule for getting the City Manager. This has helped to free me to move to other avenues. I will be down in Savannah at the end of this month representing you guys and will bring anything and whatever I can to benefit the city.

Ms. Betty Amin commented on the pot holes at Avalon.

On the 11th of June at 10:00 am in front of Milam Park Pool we will be doing a ground breaking ceremony and we have invited quite a few very important people so we would like to see our citizens there this coming Saturday.

Ms. Brown made a motion to adjourn the Council meeting and pay Council bills before going into Executive Session for an employee matter. Mr. Hadlock seconded the motion. No discussion followed. **A vote was held and the motion carried.** (5/0)

The meeting adjourned at 8:30 pm.