

MINUTES
CLARKSTON CITY COUNCIL
Tuesday, September 7, 2010, 7:00PM

Officials Present

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

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

The Pledge of Allegiance.

Approval of Council Minutes

The minutes from the August 4, 2010 Council meeting were before Council for approval. Mr. Ransom moved to approve the minutes. Ms. Swaney seconded the motion. Mayor Tygrett opened the floor for discussion. No discussion followed. **A vote was called and the motion carried.** (6/0)

CITIZENS COMMENTS AND CONCERNS

Graham Thomas, Market Street, commented on school bus traffic (from school of the deaf) on Wagner Street with possible solutions (speed bumps/signs). Mr. Thomas was also concerned about the trash thrown from vehicles at the stop sign and was upset on the house next door that has the windows boarded and the overall look of the house. Mr. Thomas would also like to see the possibility of having the adult book store closed. Other cities have been able to do this, why not us?

Chris Busing, Mauck Street, briefly touched on an ancient map of the City of Clarkston and what had been previously on some property (an active church) which may technically help. Mr. Busing spoke about items for the agenda and complimented the City Council and Mayor for their competency in handling detailed items. Chris also would like to see a State Bank in the city again and would like people to contact Representative Karla Drenner on this matter. The State Banks had their own regulations and seemed to do well. Mr. Busing congratulated Ms. Leonetti on the effort she put into the festival even though it had to be cancelled.

Tracy Bishop, Neilson Drive, commented on citizens asking to shut down another business in town. He pointed out that as a homeowner, he has to take on extra taxes because we don't have enough businesses already let alone close down another business just because we don't like what they're doing. Then regulate the business more closely and bring in more businesses.

Bobby Wright, Cranford Drive, supported the comments made about the school buses. He noted that the school buses, on a regular basis, block the intersection (at the underpass) at Church Street and N Indian Creek which blocks traffic (having to sit through two or more light changes). Mr. Wright suggested having police officers at this intersection early morning (7:30 am) and at the end of the school day.

Janice Gardner, 1003A Roger Street, stated that a lot of these children are on the buses up to 2-1/2 hours (coming and going) to the School for the Deaf. This is the only way to get back to Interstate 285 and that it would be a good idea to have a police officer directing traffic at that intersection in the mornings and afternoons when school is in session.

Theodoros, business owner, extended an invitation to city government and citizens of Clarkston to come to their celebration of the New Year on September 12, 2010 in Decatur, GA behind the Decatur Police Department between 12:00 pm and 8:00 pm.

NEW BUSINESS

Proclamation for National Preparedness Month in Georgia

Mayor Tygrett read the proclamation making September 2010 National Preparedness Month. Mr. Moore made the motion to approve the proclamation. Mr. Ransom seconded the motion.

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

Service Delivery Special Tax District Dekalb County

This is a millage rate that Clarkston pays to Dekalb County for different services received from the county. The services from Dekalb County are broke out into Police Basic Service, Police Non-Basic Service, Parks and Recreation, Road & Drainage, Arts and Culture and Transportation. We need to decide what part of the Dekalb County services we would like to keep and if we want to opt out for the Parks and Recreation service. This is something that needs to be decided before the end of the month.

Disposal of City Equipment

Chief Tony Scipio talked about the two surplus police cars (2003 Ford Taurus and 2005 Crown Victoria) that have over 90k mileage and needing some engine repair. By donating these surplus cars we do not have to pay to have all the lights, cameras, radios, and logos removed as well as auction fees and storage fees if the vehicles do not sell at auction. The Council members discussed the costs and how it would be more effective to donate these surplus cars to the Lithonia Police Department. Mr. Ransom made a motion to donate the surplus cars to Lithonia. Ms. Swaney seconded the motion. **A vote was called and the motion carried. (6/0)**

Business License Fees and Renewal Date

Mayor Tygrett proposed a \$50.00 Administrative Fee with a minimum fee of \$50.00 and to base the gross receipts on two years in the past (example: year 2011 would be from 2009 gross receipts). This way we can get the renewals out in November and due by January 1. The second option would be to go with a tiered program which would be based on type of business, location of the business and size of the business. This would bring in more revenue but would not be in the best interest of the businesses. Mr. Ransom would like to have it be a requirement that a tax return be attached to the business license. We definitely need to keep the fees and the occupational taxes separate. We will have the City Attorney do research into what we can change in the ordinance and we will do a first read next month and make suggestions for any changes to the ordinance.

PLANNING AND ZONING REPORT:

Bobby Wright gave the report for the planning and zoning meeting. Cedar Pines is being taken care of by Pond Co. and proceeding well. Mr. Wright also stated that planning and zoning did two tower additions and upgrades. P&Z did have an issue in the shopping center with two businesses on one sign who did not want to go by the code. The businesses were offered a temporary sign permit until the end of the year to get this reconciled. Mr. Wright brought up a question concerning businesses coming into compliance with codes for their signs and also mentioned an error in sign code ordinance 15.5-14 section 2.c-1-iii wall sign issue not less than 10 FT.

CORRESPONDENCE

None

OLD BUSINESS

Pond & Co. Contract Renewal

Mr. Quinn the City Attorney recommends that we have two separate contracts; one to cover the hourly rates and one to cover the flat rate. Engineering: Transportation, Civil and Architecture would be billed hourly. We would use a flat rate for Planning Services: Zoning and Land Use which would be paid by the applicants who would pay the City of Clarkston who in turn would pay Pond Co. for their services. Mr. Quinn recommends we not approve this contract as is, but, should come back next month to approve on an updated contract to reflect actual services rendered.

Ordinance to adopt City of Clarkston Soil Erosion, Sedimentation and Pollution Control Ordinance

Mr. Quinn (City Attorney) made two changes to this ordinance and read the ordinance. Tonight will be the second read for this ordinance. Mr. Ransom made the motion to adopt Ordinance 10 of Chapter 21 of the City Code to provide minimum requirements for erosion sedimentation. Mr. Moore seconded the motion. **A vote was call and the motion carried. (6/0)**

Amusement Machines-Discussion for Regulation of Amusement Machines

Mr. Quinn (City Attorney) stressed that we need to differentiate between legal amusement and illegal gambling machines. We can't tell a business they cannot have an amusement machine. The two main things will be fees and visibility from the sidewalk (windows not blocked out). Also suggested we set fees by a resolution by the City Council.

Discussion to change allowed period for Non-Conforming Use

There will be no change. Non-Conforming use will remain at (6) months.

Council to adopt mobile vendor fees and guidelines

Mr. Quinn drafted a "draft ordinance" that would more clearly define a "mobile vendor". This would be a person doing business in the city but has their business license elsewhere and they don't have a place of business in the city but they come in either on foot or with a vehicle and perform services or sell something. That means these folks would pay a fee and get a license that way we can keep up with them and they are subject to have their license revoked for

different violations just like a business located in the city of Clarkston. Mr. Quinn stated they would also have to have a valid business license and that this license would be provided to us. This is to establish a fee for these vendors through resolution. Take a copy of the old ordinance and the new ordinance and take time to look them over and bring it up at the next work session. Ms. Leonetti made a resolution to set the mobile vendor fee at \$25.00 as currently defined in the code book. Mr. Ransom seconded the motion. **A vote was call and the motion carried. (6/0)**

CHIEF OF POLICE REPORT

Chief Scipio wanted to report that the Police Dept. is responding to every code complaint (305 service calls this month). Citations are still up (speeding & running red lights in a school zone). We are also exceeding the capacity for the courtroom we are mixing criminal inmates with the general public which is a breach of security so I (Chief Scipio) will be presenting a proposal to the City Council and the Mayor. Labor Day week-end was busy. There was a suicide in Friendship Forest and we are still trying to locate next of kin. Sunday afternoon a child at Wild Creek Circle Apartments was struck by a car when he ran into the street. The driver was not charged. Sunday night we had a report of multiple gun shots at Twin Oaks Apartments and put three officers there for an hour. This quieted down the situation. The last item is that in conjunction with the Dekalb Police Department we will be hosting another Safety Seminar & Town Hall Meeting per the request of the Refugee Organization Committee. It will be held at the AME Church on Saturday morning at 10:00 a.m. September 18, 2010.

COUNCIL COMMITTEE REPORTS:

Buildings and Grounds Committee Report

Mr. Moore read the Mayor's duties and stated that it is pertinent for anyone wanting to meet with the Mayor or any of the city officials to please go the receptionist to set up an appointment.

Parks and Recreation Committee Report

Mr. White explained that an application for a Georgia Soil and Water Conservation Commission Grant that we had applied for has been awarded to us. We are also making arrangements for a signing ceremony. This \$10,000.00 will be for rehabilitation of Friendship Forest (tree planting and rehabilitation of our existing trail system).

Police Affairs Committee Report

Ms. Swaney wanted add that the 9/11 ceremony is at the Church of the Latter Day Saints and it is suggested you should arrive around 8:30 a.m. because of the parking. Also, the Bike Rodeo will be held on 9/11/2010 from 10:00 a.m. to 1:00 p.m.

Finance Committee Report

Mr. Hadlock just wanted to comment that the \$10,000.00 grant we just received is without a match of funds so it is not costing the City of Clarkston anything. We continue to work on ways to fund our City Manager position.

Community Activities

Ms Leonetti reaffirmed the cancellation of the Clarkston Blues Festival due to lack of sponsorship funding. There will be an International Festival on Saturday October 23, 2010. Mr.

Ransom reminded everyone that the B.O.C. will be voting next Tuesday on our pool funding and to please attend to show our support.

Sanitation Committee Report

Mr. Ransom reported that 52 tons of solid waste and 24 tons of recycling materials were picked up from the City of Clarkston last month. Mr. Ransom invites everyone to wish Rep. Karla Drenner happy birthday (this coming Friday). This coming Wednesday and Thursday we are having a community site survey done by the “Walkable Community Program” on our city. Mr. Ransom would like to congratulate the District Attorney for her appointment to the District 4 EPA and for Mr. James who will be leaving as solicitor to run for the D.A. Office. Mr. Ransom also stressed to the citizens of Clarkston to please contact our Code Enforcement Officer, or Director Mike Shipman directly whenever you have a code violation/complaint. The 9/11 ceremony will be held by Dekalb County and will be located at Brockett Road at 9:00 a.m. on 9/11/2010. My last request is for residents to pick up their trash containers so they do not end up in the road. Please remind your neighbor if you see a trash container out past 7:00 p.m. on the day of trash pick-up.

City Attorney’s Report

Mr. Quinn looked over the state legislation regarding service delivery and if the City Council passes a resolution and it is turned into Dekalb County by June 30th they are obligated to take that service out of the millage.

Mayor’s Report

Mayor Tygrett spoke briefly about the tax increase and that the average home value would be \$1.35 per month. Costs will continue to rise every year whether we raise millage rates or not and we are looking at our revenue stream. At the end of August we have brought in roughly 1.1million compared to 700,000 from last year at this time that are coming from other revenue streams and not taxes, but we still have a ways to go. We will also be doing our budget process with a City Manager in mind but, as far as a City Manager, we need to keep in mind we should not post a position we cannot yet fund.

The pool is going to be voted on by the Board of Commissioners on September 14, 2010 at 9:00 a.m. We are bringing in revenue from Safebuilt and have positive feedback on their efficiency in handling inspections.

The Twin Lake Project; the Council and I have looked over some of the proposals and hope to have a contract in place and to vote on the lake project next month. The contractor I spoke with said he could get onto it in 6 weeks once he has a signed contract (project 4 weeks).

Collection Fees: we have received collection fees through a debt collection service, on past debt which were owed to the city.

Parking Lot Project: an RFP (which is the design) for the Right-Of-Way (city’s portion) of the parking lot has been sent out. It is our intention to do the exterior of that parking lot with sidewalks and have a 28 foot green space at the end of Hill Street.

I am preparing the State of the City Address on Monday October 4, 2010 at 7:00 p.m. at the Clarkston Community Center in Angora Hall. Everyone is invited to attend.

Mr. Hadlock made the motion to go into Executive Session for the purpose of discussing an employment issue. Mr. Ransom seconded the motion. **A vote was held and the motion carried.** (5/1 Mr. Moore No)

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

The meeting adjourned at 8:15 pm.