

MINUTES
CLARKSTON CITY COUNCIL
Tuesday, October 5, 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.

Sergeant Romero gave the invocation

The Pledge of Allegiance

Approval of Council Minutes

The minutes from the September 7, 2010 Council meeting were before Council for approval. Mr. Hadlock 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, suggested that speed bumps be put on Wagner to slow down traffic.

Chris Busing, Mauck Street, commented that he enjoyed the Mayor's speech last night and admired him on the good turnout. Mr. Busing also stated that the economy is going to get worse. Mr. Busing also handed out petitions to all in attendance.

Regina Zabel, 3799 Market Crescent, suggested that for the clean up of the downtown to have the design that looks like Decatur with "business" on the bottom and "residence" on top.

Willie Mosley, who is running for the DeKalb School Board District 7 on November 2, 2010, wanted to let everyone know he would like to work with us to get the School Board back on track. He also encourages parents to participate in backing our children's education. Mr. Mosley extended an invitation to everyone to attend a free forum at DeKalb Medical at 6:30 pm on October 7, 2010 in the DeKalb Medical Auditorium to hear the candidates running for office.

NEW BUSINESS

Amend Sign Ordinance (1st Read)/Public Hearing

Mr. Downs (City Attorney) did the 1st read and we are also having a public hearing for anyone who might have a commentary for the sign ordinance change; chapter 15.5-14(2) (c) (1) iii is hereby amended to delete the last sentence of that sub-section and to replace it with the following sentence at the end of the existing sub-section, "No portion of any wall sign shall be located at a height of less than 10 feet above ground level as measured from the sidewalk below the sign or if no sidewalk, the curb located adjacent to the nearest public right-of-way.

Festival Permit – India Pullim

Ms. Pullin spoke of the International Festival and that its purpose is to engage inclusiveness for all of Clarkston. There will have vendors selling food and goods as well as a children's corner. There will be no alcohol sold. This is a vote for the closing of Market Street for the festival. Mr. Ransom made a motion to close Market

Street on October 23rd from East Ponce to Indian Creek with the conditions given by Chief Scipio for the flow of traffic before and after the festival. Mr. White seconded the motion. **A vote was called and the motion carried. (6/0)**

PLANNING AND ZONING REPORT:

Bobby Wright explained that they had their regular meeting and because we did not have a quorum, we had a “Special Call Meeting” two weeks later after it was advertised in the newspaper to ratify and confirm on what we had done the week before. We had no issues. We issued a building permit for Pecan Street, the Dollar General is moving forward and 4260 E Ponce de Leon is moving forward with their plans. P&Z would like to know where we stand on the five year for the signs.

CORRESPONDENCE

None

OLD BUSINESS

Pond & Co. Contract Renewal

Michelle Alexander from Pond gave details on the main contract (master contract with general terms of how Pond will establish relationship terms of payment and other items. There are two task items: 1) Fixed Fee Types (reviews, rezoning, variances, etc.) and 2) On Call Services (establishes hourly rates and specifies different rates for all of staff levels). Mr. Downs (City Attorney) discussed with Michelle some provisions on the master contract that he would like Pond to amend and Ms. Alexander has given these to Pond’s Vice President to go over. Ms. Alexander also suggested we vote the applicant fees separate from the vote for the main contract. Mr. Downs recommends we approve the main contract subject to the City Attorney and the Mayor looking at these final changes to general conditions. Mr. Ransom made the motion to approve the contract subject to further refinements to the general conditions as negotiated by the City Attorney in consultation with the Mayor. Ms. Leonetti seconded the motion. **A vote was called and the motion carried. (6/0)**

There was a discussion (example-variance fee) concerning the applicant fees and what the percentage should for the City’s administrative costs and the time involved with the processing of the application. Mr. White has concerns that doing the multiple fees for each person working on an application would hinder any development because of all the fees. Mayor Tygrett suggested a tiered table for the fees. Mr. Moore has made a motion to look at this at the next work session. Mr. Ransom seconded the motion. **A vote was called and the motion carried. (6/0)**

Business License Fees and Renewal Date – Ordinance

This will be moved forward to our next City Council meeting. The City Attorney was unable to complete this due to unforeseen circumstances.

Amusement Machines-Discussion for Regulation of Amusement Machines

Mr. Downs (City Attorney) did the 1st read section 11-91; section 11-92 (A)(B)(C)(D); section 11-93 (A)(1)(2)(3)(4)(5), B; section 11-94; section 11-95 (A)(B). The City Council will discuss this further at the next work session.

Council to Adopt Mobile Vendor Fees and Guidelines

Mr. Downs (City Attorney) did the 2nd read for this ordinance to amend chapter 11 of the City of Clarkston City Ordinances to provide for the regulation and licensing of mobile vendors; to provide a permitting process for mobile vendors; and to repeal conflicting provisions. The Council can set a fee by resolution. Mr. Ransom

made a motion to adopt this ordinance as read. Ms. Leonetti seconded the motion. **A vote was called and the motion carried. (6/0)**

A discussion followed and everyone decided to work on the definition of a mobile vendor. Mr. Moore made a motion to carry this over to our next work session to go over the definition of a mobile vendor. Mr. White seconded the motion. **A vote was called and the motion carried. (6/0)**

CHIEF OF POLICE REPORT

October is Crime Prevention and Public Safety month and Chief Scipio wanted to point out a couple of things that will be affecting traffic. First will be a homecoming parade assembly at Clarkston H.S. and an assembly at Thrift Town Plaza, which will affect the intersections at Church & Indian Creek and Ponce de Leon & Montreal. Clarkston First Baptist Church will be having their month long celebration of the 10th anniversary of the church (Oct. 10th-17th). Texel Lane cul-de-sac will be blocked off for the National Safety Block Party (4:00 pm-6:00 pm). On Monday October 11, 2010, Sagal Radio and Emory University are hosting a dinner at the Clarkston Community Center. Chief Scipio wanted to reaffirm that crime mapping is up and that if the crime does not happen in Clarkston city limits, it will not show up on crime mapping.

Ms. Green the Records Manager and Court Clerk, Terminal Agency Coordinator for G.C.I.C. & N.C.I. spoke concerning what happens in records and commented on the limited space. They are not in F.B.I. compliance at this time, the next audit will be in August 2011, and if records are not in compliance again, they will remove the terminals.

COUNCIL COMMITTEE REPORTS:

Buildings and Grounds Committee Report

Mr. Moore just wished to say how well city is looking today.

Parks and Recreation Committee Report

Mr. White has had an ongoing conversation with Mr. Moore on comments heard concerning the maintenance and upkeep at Milam Park. Through casual conversations with Director of Public Works, Mike Shipman, we have thought of developing a checklist for maintenance and ongoing repair service. We need to establish a minimum standard of care for Milam Park.

Police Affairs Committee Report

Ms. Swaney commented that she had a look at the records room and saw room for improvements. Ms. Swaney also commented that Chief Scipio was nominated for two public safety awards in DeKalb County; 1) Endorsed in the Champion Newspaper as one of DeKalb's influential leaders, 2) DeKalb Police Alliance Public Safety Champion Award for work in the community. These awards will be issued on October 30, 2010 at Crown Plaza on Ashford Dunwoody Road at 6:00 pm.

Finance Committee Report

Mr. Hadlock has mentioned that there will be budget talks in November and December. The schedule will be set by our next meeting and we are looking at approximately three meetings. These budget meetings will have discussion on effective ways to fund a City Manager and to be able to fund additional personnel for the Police Department. We are looking into whether a grant is still available for three officers for two years after which the city would pick-up the tab. Mr. Hadlock suggested the need to incorporate areas adjoining our city, which would bring in more revenue. Mr. Hadlock met with Rodney Reese (Community Development DeKalb County) on ways to use the \$10,000 grant (renovating the pavilion and introducing native species) at Friendship Forest. The Friends of Friendship Forest will be having another workday soon and to please come join us (on facebook – FRIENDS OF FRIENDSHIP FOREST). A special thanks to Terry Sutton from Cascade Forestry for the role his company has in volunteering their services.

Community Activities

Ms. Leonetti reminded everyone about the Step up in Georgia International Festival on Saturday October 23, 2010 at City Center.

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. He also went to the Hazardous Waste and learned a lot on how we could increase our items for recycling (items that we do not take now). Mr. Ransom also attended a class by Mauldin & Jenkins. Mr. Ransom was also honored to present an award at the Clarkston Community Center (Bhutanese Artists of Georgia). I would also like to thank Mayor Tygrett for the State of the City Address and all the positive feedback that was received afterwards. Mr. Ransom wanted to recognize outsources from Safebuilt. John with Safebuilt gave a brief update on permits issued over the past three months (73 permits) and to introduce a new building inspector, Ken, who has the highest certification (Building Code Professional).

City Attorney's Report

Mr. Downs and Mr. Quinn (City Attorney's) both looked over the sign ordinance and found nothing referring to a 5-year non-conforming or sunset provision. They did find that the only way to lose a non-conforming sign is through changing shape, changing size, or replacing with a non-conforming sign since 2003.

Mayor's Report

Mayor Tygrett would like to extend birthday wishes to Ms. Green. Mayor Tygrett also thanked everyone for attending the State of the City Address last night.

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 8:45 pm.