

**MINUTES**  
**CLARKSTON CITY COUNCIL**  
Wednesday, August 3, 2011, 7:00 PM

	<u>Officials Present</u>
Mayor:	Emanuel Ransom
Council:	Warren Hadlock, Dianne Leonetti (absent), 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 Mayor Lee Swaney for all he has done for the Clarkston in the last 15-20 years. Mr. Swaney was presented a plaque for his administration by the Mayor and City Council Members. Mayor Ransom also asked all the participants in “National Night Out” to stand and be recognized.

**Approval of Council Minutes**

The minutes from the July 5, 2011 Council meeting were before Council for approval. Ms. Swaney moved to approve the minutes as written. Mr. White seconded the motion. Mayor Ransom opened the floor for discussion. **A vote was called and the motion carried.** (5/0)

**CITIZEN COMMENTS/CONCERNS**

Chris Busing, Mauck Street, spoke about his concerns of future prospects of freedom and that we should start at the local level. Mr. Busing also mentioned how the City Council and legislation needs to be able to say no more often.

Graham Thomas, Market Street, addressed the concern that the gas company seems to be repeatedly working on the same locations.

Bobby Wright, Cranford Drive, has a concern with the bikers in the city not obeying the stop signs/lights and has on occasion seen instances where cars have had to stop abruptly because a biker did not stop and would hate to see someone get hit. He suggested maybe putting up signage along the bike trail.

John Beck, Mell Avenue, stated that their neighborhood has a problem of people walking through and throwing trash onto their street. He questioned if they put out trash bins at our expense would the city pick up the trash? Is there any ordinance pertaining to this? The City Manager requested Mr. Beck’s telephone number and he stated he would do a follow-up.

Tony Knox, Market Street, asked about the maintenance or lack of maintenance in the Market Street subdivision. He addressed overgrown and attracting wildlife and mosquitoes. So there has to be some sort of regulation for keeping that property maintained for as long as it takes to turn it into a viable subdivision.

Mayor Ransom also wanted to acknowledge Ms. Betty Amin for her part in National Night Out.

## **NEW BUSINESS**

### **Milam Pool Contract Change Orders – Mr. Larry Kaiser**

The City Manager stated there were several change order items that were discussed at the work session and those prepared change orders are before the council for consideration. We will have individual recommendations and individual votes recorded for each change order request.

Change order #5 for the amount of \$2,249.00 accurately reflects the work performed (Change Order #3 was exclusively in the building footing area) for removal of unsuitable soils and backfilling with 57 stone to finish the approved sub-grade in the west end of the pool to bring it back to finished pool subgrade. Ms. Brown made a motion to accept change order #5. Mr. Moore seconded the motion. Mayor Ransom asked if there was any discussion. Mr. Moore asked if there was any documentation to this change order. Mr. Kaiser explained he wasn't sure if the change order was going to be on the agenda so he did not have the documentation at this time but will be sure it is provided. **A vote was held and the motion carried. (5/0)**

Change order #6 referenced the dimensions of the pool deck and where the sod begins. Leslie Contracting has been asked to provide a cost and site plan with the existing and proposed conditions. This is an optional owner requested change order, and not a required change order, in the amount of \$7,716.60 (Mr. Kaiser has checked the breakdown for Leslie Contracting and he agreed with that proposed cost). Mr. Moore made the motion to approve this change order. Ms. Brown seconded the motion. This was opened for discussion and Mr. Hadlock asked what the dimensions are for the deck (1429 SF increasing the width in three places). **A vote was held and the motion carried. (5/0)**

Change order #7 is the purchase and installation of two (2) hand dryers. The original plans called for paper towel dispensers but by going with the hand blowers we will more likely eliminate maintenance problems. This is an owner requested option for two (2) hand dryers at the cost of \$2,317.57 (materials and labor) and this is one (1) hand dryer per restroom. Ms. Swaney made the motion to approve this change order. Mr. Hadlock seconded the motion. Mr. Hadlock asked if they were high velocity hand dryers and Mr. Kaiser stated they are the ones with the "push" button. Mr. Hadlock suggested going with a towel dispenser that is activated when you place your hand under the dispenser. During discussion it was pointed out that you would still have problems with clean-up, towels plugging toilets, being dropped on the floor and generally increasing the maintenance. Mr. Kaiser pointed out there are other types of hand dryers that may be comparable to what we want without having the "button". Ms. Swaney amended the motion to approve the electricity to be installed at the pool for the hand dryers with the option of Mr. Kaiser looking at more hand dryers and bringing them back to the council at the next work session. Mr. Hadlock seconded the motion. **A vote was held and the motion carried. (5/0)**

Change order #8 is material and installation cost to construct a concrete seat wall for each restroom (14ft – length x 18in – wide x 20in – height). We are recommending council approve the \$1,568.00 for the installation of one (1) seat wall per each restroom. Ms. Brown made the

motion and Mr. Moore seconded the motion. There was discussion on the differences of the bench and the concrete seat wall. **A vote was held and the motion carried. (4/1-Mr. Hadlock, No)**

Change order #9 is material and installation cost to replace laminate countertops with “manufactured stone” in the concession room. This is an owner requested change order to replace laminate countertops because of maintenance. The cost of \$4,506.00 reflects a credit of the cost to cut and install the laminate countertop so the \$4,506.00 would be the difference. Mr. White made the motion to decline authorization for this change order. Mr. Hadlock seconded the motion. **A vote was held and the motion carried. (5/0)**

Change order #10 is purchasing of pool furniture. The City Manager explained that the city did not include pool furnishings in the contractor’s price but would procure those items independent of the contractor to avoid mark-up, etc. If accepted we are suggesting we purchase; fifteen (15) chaise lounges, three (3) combination bench/table with umbrellas, three (3) trash receptacles outside the pool area and two (2) trash receptacles inside of the pool area, one (1) contour bench and (1) one picnic bench. They would be metal coated with plastic and commercial grade. The project manager continues to receive quotes from several vendors and makes the recommendation that we not exceed \$13,000.00 for pool furnishings. To insure product delivery by the end of September the council needs to make a decision today. This is not a part of the contract so the staff recommendation is that you approve this authorization of change order #10 not to exceed \$13,000.00 for the pool furnishings. Mr. Moore made the motion for authorization of pool furnishings not to exceed \$13,000.00. Ms. Swaney seconded the motion. There was some discussion on the color and types of pool furnishings. **A vote was held and the motion carried. (4/1-Mr. White, No)**

Change order #11 is purchasing a pool cover. Aqua Design Systems a subcontractor for Leslie Contracting provided a quote and cut sheets. Please take into consideration the shape and the size of the pool. The pool cover will cost \$15,903.67. The recommendation of the project manager and the City Manager is for this expenditure. Mr. White started to make the motion to approve but withdrew his motion. Mr. Hadlock made the motion to approve change order #11. Ms. Brown seconded the motion. Discussion followed concerning if quotes from other vendors were submitted and how this pricing compared with other pool covers. Mr. Kaiser stated this is not a time sensitive issue and that he can get quotes for the other covers and he will bring the quotes back to the council. Mr. Hadlock made a motion to withdraw his motion to approve the change order #11. Mr. Moore made the motion to table until our work session. Ms. Swaney seconded the motion. **A vote was held and the motion carried. (5/0)**

Change order #12 is the purchase of two (2) portable life guard chairs at the cost of \$4,011.93. Mr. Moore made a motion to table this until the work session to pursue other pricing. Ms. Swaney seconded the motion. Mr. Kaiser pointed out that if you let the public into the pool then you will need life guards and you will need life guard chairs. Mr. Kaiser recommends approving the change order contingent upon time sensitivity. Mr. Moore withdrew his motion to table. Mr. Moore made a motion to purchase the chairs at \$4,000.00 or less if we do have a delivery time that can fit our schedule. Ms. Swaney seconded the motion. **A vote was held and the motion carried. (5/0)**

### **Title VI Plan**

The City Manager is requesting that we hold this item until the meeting in September.

### **Curbside Recycling**

The City Manager was asked by the city council to write a letter of support for Curbside Recycling and secondly a resolution in support of this project that council could vote on. Mr. Barker also spoke of the disclaimer at the bottom of the letter giving the city's support but that they are not affiliated with the city and also read the resolution. Ms. Brown made the motion to approve this resolution and give the mayor necessary authorization to sign this document. Mr. White seconded the motion. **A vote was held and the motion carried. (5/0)**

The City Manager stated that since this resolution has been approved that he will work with Curbside Recycling to schedule the electronics recycling event. This event will happen sometime in August.

### **Council Committees**

City Manager spoke of discussions he had with Councilman White about various options to consider at the work session. Mr. White presented several examples from other cities in DeKalb County. I was asked to prepare a resolution that would capture the sentiments of the council. This is the results from a discussion I had with council at the work session and a consultation with the City Attorney (Mr. Quinn who handles this particular issue; the proper role and responsibilities of committees). The current ordinance says committees would provide reports. Prior to having a professional City Manager, the committee provided additional administrative assistance to the Mayor, who prior to the City Manager was the administrative head of the government. This resolution is not a change in the ordinance. In consultation with the City Attorney we felt we would handle it with a resolution now because in order to change the charter it takes two meetings. The City Manager read the resolution. Mr. Moore made the motion to accept the resolution and give the Mayor permission to sign it. Ms. Swaney seconded the motion. Mr. Hadlock requested to amend the resolution by removing the clause pertaining to the two minute time limit set for topic(s) brought up by a council member. The motion was not changed. **A vote was held and the motion carried. (4/1-Mr. Hadlock, No)**

### **Planning and Zoning Report**

Mr. Wright stated Mr. Vinh Glover was elected vice-chair at the last meeting (July 18, 2011). We had an application for a building permit on 3757 Poplar Drive which was reviewed by Safebuilt and we approved the application. We had an application of a sign permit by Dawit Accounting and Tax Service at 3662 Market Street. We approved the sign as presented with the stipulation that the other signs be removed from the building. There are still some issues Mr. Wright would like to talk about to the City Manager. The next meeting will be August 15, 2011.

### **OLD BUSINESS**

### **Ordinance-Fill Mayor/Council Vacancy Process/Home Rule Change (2nd Vote)**

Mr. Quinn stated this is the second vote of the two required approvals to amend City Charter, Section 2.05 to amend the filling of a vacancy in the office of mayor or council person. This ordinance will go into effect as soon as it is approved tonight. Ms. Swaney made the motion to adopt this ordinance. Mr. Moore seconded the motion. **A vote was held and the motion carried. (5/0)**

### **CITY MANAGER REPORT**

Mr. Barker wanted to let the public know that this report is on the city's web page. The main focus of all employees is that we are undergoing a thorough assessment of all city operations (Human Resources, Employee Benefits, Public Works, Roads and Drainage, Sanitation, Court Services, Police Services, Finance and Accounting). This is to be sure we are spending your tax dollars wisely and being the most professional and cost efficient government that we can have here in Clarkston. The entire staff has been involved in this process. We have almost completed the new employee handbook that will cover and correct the gaps that we have in our personnel system. This is to make sure that all our policies and procedures are consistently applied. I would also like to touch on some of our police and court services activities. The total amount of citations for the month of July were 575, total incident reports written were 179 and total funds collected in our court system a little over \$71,000.00 and I will always compare month to month (example: July 2010 to July 2011) and a total funds collected year to date from January to July. Mr. Barker gave a brief financial report and said he would be sending out a memo to all department heads requiring that no one spend more than 98% of their allotted budget for 2011. Mr. Barker also pointed out that we cannot incorporate the fee for the project manager (Mr. Kaiser) with the pool budget but that it must be kept separate per Rodney Reese with DeKalb County Community Development. We have \$40,000.00 budgeted for pool management expenditures so we are going to create an additional line item in our parks department called professional services and will move the \$40,000.00 from pool management to professional services account and pay out of that account. That way we will have correct identification of those funds so when we get audited we won't have to guess or wonder. This is an administrative maneuver that I am going to make and it doesn't require council approval but I wanted to let you know about it.

### **COUNCIL REMARKS**

Ms. Brown let everyone know there is a clean up on Memorial Drive on August 27<sup>th</sup> sponsored by DeKalb County and will be meeting in the parking lot of Perimeter College starting at 8:00 am and you will receive a t-shirt and some food.

Mr. White had nothing to comment on at this time.

Mr. Hadlock invited everyone to go the Friendship Forest Facebook Page to look at all the work that was done last Saturday by volunteers which included Ms. Brown and Ms. Gardner and there was great food. Mr. Hadlock also wanted to say he appreciated the job the City Manager has been doing on the projects that had come up before his arrival here.

Ms. Swaney wanted to thank Chief Scipio and Capt. Hudson and all the citizens for their help with National Night Out last night and everyone did a great job.

### **MAYOR'S REPORT**

Mayor Ransom was asked by the American Payroll Association to join in with the nation in acknowledging our payroll professionals and I am declaring the first week in September as National Payroll Week in the city of Clarkston. Secondly I took this city to Washington D.C. and I spoke to two groups of people and this was done through the Office of Refugee Resettlement. We have 10-12 invitations that they will be coming to our city to look around and see what assistance they can get for us as far as money goes and programs. Mayor Ransom also had pictures showing the progress of the pool in Milam Park (the current pour at the pool).

The City Manager had before and after pictures of the tennis courts and we have been interviewing potential partners and I think that we have selected the Atlanta Youth Tennis Foundation. They are working on a proposal to provide to us to provide programming for the tennis court.

The City Manager made the following announcements: The city of Clarkston is partnering with the DeKalb County Fire Rescue Department to provide fire safety training. This will be on our webpage and there will be a press release – Wednesday, August 10, 2011 – 3:00 pm to 4:00 pm, Thursday, August 11, 2011 – Noon to 1:00 pm and 5:30 pm to 6:30 pm, Friday, August 12, 2011- Noon to 1:00 pm. The last thing that relates to training is August 10, 2011 at 6:00 pm to 7:30 pm where we are also working with Lutheran Services to provide training and information to refugee immigrant business owners.

The meeting adjourned at 9:07 pm.