

MINUTES

DECATUR CITY COMMISSION

Regular Meeting
January 19, 2010
City Hall: 7:30 p.m.

Mayor Floyd called the Regular Meeting of the Decatur City Commission to order at 7:30 p.m. on Tuesday, January 19, 2010.

PRESENT: Mayor Floyd, Mayor pro tem Baskett, Commissioners Boykin, Cunningham, and Garrett; and, City Manager Merriss.

MINUTES of the Organizational Meeting of January 4, 2010 were approved on a motion by Commissioner Boykin, second by Commissioner Garrett, and all but Mayor pro tem Baskett voting “aye”¹.

OATH OF OFFICE.

Mayor Floyd administered the “Oath of Office” to newly promoted Fire Captains James Meyers, David Ratledge and Chet Walker.

Fire Chief Toni Dixon presented each with his badge.

BICYCLE DONATION PRESENTATION.

Assistant Active Living Director Greg White introduced members of the DeKalb chapter of the Fraternal Order of Police and thanked them for donating four brand new bicycles to the Safe Routes to School bicycle training program at Glennwood Academy.

PUBLIC COMMENT ON AGENDA ITEMS.

There were no comments from the public.

HIDDEN COVE PEDESTRIAN BRIDGE IMPROVEMENTS – CHANGE ORDER.

Deputy City Manager Hugh Saxon recommended increasing the project budget for the Hidden Cove Park Pedestrian Bridge Improvements from \$50,000 to \$60,000 as well as requesting approval of a change order in the amount of \$13,975 to build three new concrete stairs in the park. Mr. Saxon stated that the proposed change order would provide for the replacement of three deteriorated cross-tie stairs with new permanent concrete stairs with hand rails since the existing stairs did not meet current code requirements and were in constant need of repair and maintenance.

Mr. Saxon stated that the project was being funded by a grant from the Georgia Land and Water Conservation Fund and the Greenspace Acquisition and Improvements budget in the Capital Bond Projects fund. Mr. Saxon stated that if approved, the change order would increase the total contract amount from \$39,690 to \$53,665.

¹ Mayor pro tem abstained from voting due to his absence on January 4, 2010.

In response to a question from Mayor Floyd, Mr. Saxon stated that the grant funding requires a dollar for dollar match from the City.

On a motion by Commissioner Boykin, second by Commissioner Cunningham, and all voting “aye”, the project budget was increased and the change order was approved.

CHANGE ORDER – KIRK ROAD REPAVING PROJECT.

Assistant City Manager David Junger recommended approval of a change order in the amount of \$10,766.50 for additional work to Kirk Road in order to repair extensive road failures in the old concrete road bed. Mr. Junger stated that the change order would increase the total contract amount from \$69,670 to \$80,436.50 and that funds were available in the approved budget to cover the costs.

Mr. Junger noted that the Georgia DOT had not begun work on its list of approved Local Assistance Road Program (LARP) streets but that additional streets had been added for to a later phase for this fiscal year.

In response to a question from Commissioner Boykin, Mr. Junger stated that the road needed to be repaired because of erosion and failed concrete.

On a motion by Commissioner Cunningham, second by Commissioner Boykin and all voting “aye”, the change order was approved.

APPROVAL TO INSTALL A NEW STREET LIGHT.

Mr. Junger stated that the Engineering Division received and reviewed a request from a Madison Avenue resident for a new street light at Beaty Place adjacent to 369 Madison Avenue at the city limit. Mr. Junger stated that the area had been evaluated through field inspection and coordination with the Georgia Power Company (GPC) and that GPC recommended the installation of 1 new street. Mr. Junger stated that the cost of the street light to the City will be \$8.60 per month for the 100-watt light.

On a motion by Commissioner Cunningham, second by Commissioner Garrett, and all voting “aye”, the request was approved.

REQUESTS AND PETITIONS.

Mike Miller, 952 Church Street, requested information regarding the status of the on-street parking on Church Street once Glenlake Park reopened. Mr. Miller stated that he was in favor of the on-street parking and looked forward to the addition of bike lanes.

At the request of Mayor Floyd, Mr. Saxon replied that no decision had been made regarding any permanent changes to the on-street parking and the addition of bike lanes. Mr. Saxon that approval was needed from the Georgia Department of Transportation (GDOT) in order to extend the on-street parking from the intersection of Church Street and Commerce Drive. Mr. Saxon noted that the City was in negotiations with MARTA

for funding of the redesign of the intersections of Commerce Drive & Church Street and Commerce Drive & Clairemont Avenue.

In response to a question from Mayor pro tem Baskett, Mr. Saxon stated that he was pleased with the current on-street parking arrangement and that the on-street parking would not be removed without consideration by the City Commission.

In response to a question from Mayor Floyd, Mr. Saxon stated that the City had to have GDOT approval due because there would be a tie-in to the potential changes to the intersection of Church Street and Commerce Drive.

Steve Robbins, 213 Ridgeland Avenue, stated that he had received a copy of City Manager Merriss' memo regarding the mental health facility at 444 Sycamore Drive and desired to know if the City had solicited any legal advice on its zoning laws and definitions of what constituted a business.

Grace Ann Young, 740 Sycamore Drive, stated that the response provided by City Manager Merriss' memo were inadequate because they did not address the issues raised by members of the Decatur Heights neighborhood.

Soren Christensen, 631 Sycamore Drive, stated that the statements regarding the daytime operations of the facility were treated as facts and requested that the City Attorney review the issue.

Randy Tucker, 401 Mimosa Drive, stated that it was inappropriate to ask intrusive questions when a participant was looking for a supportive environment for recovery services in order to reacclimatize to society.

REPORTS AND OTHER BUSINESS.

City Manager Merriss presented the City Commission with a memo addressing the outstanding issues identified in the November 2, 2009 report regarding the Peer Support and Recovery Respite Center located at 444 Sycamore Drive. City Manager Merriss stated that after reviewing all of the information provided by the Georgia Mental Health Consumer Network, an inspection of the property by Planning Director Amanda Thompson and the existing requirements of the City's Zoning Ordinance as well as requirements of the federal "Fair Housing Act," it appeared that the decision by the Zoning Administrator that the use was allowed in the zoning district was appropriate. City Manager Merriss stated that those who might feel that an error had been made by the Zoning Administrator had the right to appeal the decision to the Zoning Board of Appeals.

City Manager Merriss did note that the City Attorney had not reviewed the memo.

In response to a question from Mayor Floyd, City Manager Merriss stated that no action was required by the City Commission regarding this issue.

In response to a question from Commissioner Boykin, Mayor Floyd stated that each Commissioner needed time to digest the information and that therefore he was unsure when this issue would be discussed further by the City Commission.

City Manager Merriss stated that the tornado outdoor warning siren system would be tested for installation purposes on Friday, January 22, 2010 at 12:00 P.M. for two minutes and that testing would be conducted on a monthly basis on the first Wednesday at 5:00 P.M. starting February 3, 2010.

In response to a question from Mayor Floyd, City Manager Merriss stated that the City owned four sirens and would be operating the siren at Agnes Scott College in the event the National Weather Service issued a tornado warning for the City.

In response to a question from Commissioner Boykin, City Manager Merriss stated that the sirens were located in residential neighborhoods in order to provide maximum coverage for the City and that relocation would not be feasible.

In response to a question from Mayor pro tem Baskett, Assistant City Manager Tony Parker stated that he was unsure of the sound decibel level of the Agnes Scott College siren. He added that the sound on the City's four sirens could be adjusted. Mr. Parker noted that the sirens were located on school sites in places that had access to sunlight in order to power the solar panel and provided ease of serviceability.

Mayor pro tem Baskett stated that he lived across the street from the college and that while its siren was loud, it was not obtrusive.

Mr. Junger stated that progress was being made in the Phase 2 sidewalk construction project and that the stamped brick crosswalk project would begin on Sunday, January 24, 2010.

Assistant City Manager Lyn Menne stated that 1,180 volunteers had worked on a total of 37 homes during the annual Martin Luther King, Jr. Service Day project event. Ms. Menne thanked the City Commission for its support and congratulated Volunteer Coordinator LeeAnn Harvey on another outstanding event.

Ms. Menne stated that the Cultural Arts Master Planning process included two more public input sessions that were scheduled for Wednesday, January 20, 2010.

Commissioner Garrett thanked Ms. Harvey, City staff and all the volunteers for making this year's MLK, Jr. Service project great.

Commissioner Boykin thanked the Active Living staff and the Fraternal Order of Police for their work with the Safe Routes to School program and for the bicycle donation.

Commissioner Cunningham congratulated the new Fire Captains on their promotion and thanked the community for making the MLK, Jr. Service Day a success.

Mayor pro tem Baskett stated that the MLK, Jr. Service Project was a great event.

Mayor pro tem Baskett stated that he was honored to be elected to serve as Mayor pro tem for another year.

Mayor Floyd stated that the Metro Atlanta Mayors Association and Gas South were sponsoring a day at the circus for special needs children and one guest on February 19, 2010 and asked that if anyone knew of a child who would like to go to contact him.

Mayor Floyd stated that he was proud of how the City celebrated Martin Luther King, Jr.'s birthday.

There being no other business, the meeting was adjourned.

Peggy Merriss
Acting City Clerk