

MINUTES OF THE REGULAR COUNCIL MEETING

Tuesday, July 7, 2015 @ 7:30 P.M.

City Hall

CALL TO ORDER

The meeting was called to order by Mayor Patricia Wheeler at 7:30 p.m. at City Hall. Present were Council Members Higgins, Johnson, Mailman, Redmond, and Wells and City Attorney Joe Fowler. Council Member Coletti was absent.

DETERMINATION OF A QUORUM

Mayor Wheeler determined a quorum was present.

INVOCATION

Council Member Higgins gave the invocation and Council Member Wells led the pledge of allegiance.

CITIZENS COMMENTS

Diana Hollis of 735 Mountain Village Drive addressed Council. Mrs. Hollis voiced her concern that the Council is being asked to subsidize health insurance for one employee. She expressed her opinion that what is done for one employee, should be done for all employees.

READING AND APPROVAL OF THE JOURNAL

Minutes of the Regular City Council Meeting – June 2, 2015

Council Member Johnson made a motion to approve, seconded by Council Member Mailman. There was an opportunity for mention of additions or corrections to the minutes. No corrections noted. Motion approved 5-0.

Minutes of the Committee/Work Session – June 15, 2015

Council Member Johnson made a motion to approve, seconded by Council Member Mailman. There was an opportunity for mention of additions or corrections to the minutes. No corrections noted. Motion approved 5-0.

Minutes of the Special Called Meeting – June 22, 2015

Council Member Johnson made a motion to approve, seconded by Council Member Mailman. There was an opportunity for mention of additions or corrections to the minutes. No corrections noted. Motion approved 5-0.

READING OF COMMUNICATIONS

None.

ADOPTION OF THE AGENDA OF THE DAY

Council Member Johnson made a motion to adopt the agenda of the day. Seconded by Council Member Mailman. Motion approved 5-0.

CONSIDERATION OF ANY LEGISLATION VETOED BY THE MAYOR

None

UNFINISHED BUSINESS

None

NEW BUSINESS

Consent Agenda – No items.

MINUTES OF THE REGULAR COUNCIL MEETING

Tuesday, July 7, 2015 @ 7:30 P.M.

City Hall

Page 2

Employment Contract – City Manager – Gary Peet

Council Member Johnson made a motion to approve. Seconded by Council Member Mailman. There was an opportunity for further discussion. City Manager Gary Peet informed Council that a correction has been made in the bi-weekly contract amount. In the original version of the contract agreement, the monthly increase of \$400.00 was added to the bi-weekly pay rate. The revised contract for approval shows the correct bi-weekly pay rate of \$3,112.62 instead of \$3,328.00. There was no further discussion.

Motion passed 5-0.

Bid Award for Resurfacing E. Ponce de Leon Avenue from James B. Rivers Drive to Tuggle Drive – Bids submitted by Stewart Brothers, Inc. and Shepco Paving, Inc.

Council Member Johnson made a motion to approve bid award to Shepco Paving Inc. for the resurfacing of E. Ponce de Leon Avenue from James B. Rivers Drive to Tuggle Drive. Seconded by Council Member Mailman. There was an opportunity for further discussion. At the request of Council Member Wells, Public Works Director Jim Tavenner was asked to explain the bid process. Director Tavenner addressed Council, requesting an additional \$5,000 for any kind of aggregate that may be needed for the road base. Council Member Redmond made a motion to amend the original motion to include the addition of \$5,000 for the purchase of any aggregate base needed for the road resurfacing project. Seconded by Council Member Higgins. There was no further discussion.

Motion passed 5-0.

Bid Award for Resurfacing a Portion of the Rock Gym Parking Lot – Discussion

Council Member Johnson made a motion to entertain discussion on the bid award for resurfacing a portion of the Rock Gym parking lot. Seconded by Council Member Mailman. Public Works Director Jim Tavenner informed Council that only one bid was received on the project, and therefore administration requests that the project be submitted for rebid. City Manager Gary Peet informed Council that administration will do its best to notify potential bidders of the opportunity to bid, and to attain three or more qualified bids on the project. Email from the DeKalb County School System has been received confirming that the school system is in agreeance with the City going back to bid on the project. There was also discussion about the length of time that the project will be open for second bid. There was no further discussion.

Council Member Johnson made a motion to continue discussion of this item during the July 20th, 2015 Work Session of Mayor and Council. Seconded by Council Member Mailman. The item will appear on the work session agenda.

Motion passed 5-0.

Appointment of an Assistant City Attorney – Solicitor – Larry Steele

Council Member Johnson made a motion to approve. Seconded by Council Member Mailman. There was an opportunity for further discussion. Mayor Wheeler informed Council that Mr. Steele comes highly recommended by Judge Warren Hoffman and City Manager Gary Peet informed Council that he has conversed with Mr. Steele regarding court scheduling. There was no further discussion.

Motion passed 5-0.

MINUTES OF THE REGULAR COUNCIL MEETING

Tuesday, July 7, 2015 @ 7:30 P.M.

City Hall

Page 3

NEW ORDINANCES AND RESOLUTIONS

Ordinance 2015-06 – Ad Valorem Tax Rate

Council Member Johnson made a motion to approve and rendered the second reading of “An Ordinance Pursuant to the Chapter of the City of Stone Mountain Section 6.11 to Set the Rate for Ad Valorem Property Taxation...” Seconded by Council Member Mailman. There was an opportunity for further discussion. Council Member Wells reminded those present that there is a process to appeal the assessed value of properties and to request reassessment.

Motion passed 5-0.

Ordinance 2015-07 – Findings of the Existence of Nuisances

Council Member Johnson made a motion to approve and rendered the second reading of “An Ordinance to Amend Chapter 5, ‘Buildings’, of the Code of Ordinances of the City of Stone Mountain by Adding Thereto an Article V to be Entitled ‘Findings of the Existence of Nuisances’; to Establish Findings that Dwellings, Buildings, or Structures Exist in the City of Stone Mountain, Georgia of a Negative Condition of Character as Described Under the Official Code of Georgia Annotated (O.G.C.A) Section 41-2-7 by Complying with Section 41-2-9(a); To Provide Severability; To Provide for Penalties; To Provide an Effective Date and For Other Lawful Purposes.” Seconded by Council Member Mailman. There was an opportunity for further discussion. Mayor Wheeler informed the public that copy of the ordinance is available upon request, with reproduction fees to apply and that copy of the ordinance will also be available on the City’s website.

Motion passed 5-0

Ordinance 2015-08 – Abatement of Nuisances

Council Member Johnson made a motion to approve and rendered the second reading of “An Ordinance to Amend Chapter 5, “Buildings”, Division 4 of Article IV, “Property Maintenance” by Deleting Said Division 4 and Inserting in Lieu Thereof a New Division 4 to Be Entitled “Nuisance Abatement”; To Establish Rules and Regulations for Abatement of Unsafe or Unhealthy Premises; To Provide Severability; To Provide Penalties; To Repeal Conflicting Ordinances; and For All Other Lawful Purposes.” Seconded by Council Member Mailman. There was an opportunity for further discussion. City Manager Gary Peet thanked City Attorney Fowler for all of his assistance in the drafting of this and other ordinances.

Motion passed 5-0

Resolution 2015-19 – FY2015 Budget Amendment

Council Member Johnson made a motion to approve. Seconded by Council Member Mailman. There was an opportunity for further discussion. City Manager Gary Peet asked that a substitution be made to Resolution 2015-19 to account for the proposed purchase of Christmas decorations. He explained that the proposed purchase is time sensitive. With adoption of the millage rate, administration will submit to Council during the next work session, a budget resolution for proposed allocation of the increase in revenue for the Real Property Tax Revenue line item. Council Member Higgins moved to substitute for the pending resolution 2015-19, an increase in line item Real Property Tax Revenue in the amount of \$8,900.00 and an increase in the line item Holiday Expense in the amount of \$8,900.00. Seconded by Council Member Johnson. City Manager Gary Peet informed Council that a vote on the substitution will effectively remove the original motion. Motion passed 5-0.

MINUTES OF THE REGULAR COUNCIL MEETING

Tuesday, July 7, 2015 @ 7:30 P.M.

City Hall

Page 4

Resolution 2015-20 – Authorization for Depot Project Management by the DDA
Council Member Johnson made a motion to approve. Seconded by Council Member Mailman.
There was an opportunity for further discussion.
Motion passed 5-0.

Resolution 2015-21 – Sanitation Fees for 2015
Council Member Johnson made a motion to approve. Seconded by Council Member Mailman.
There was an opportunity for further discussion.
Motion passed 5-0.

Resolution 2015-22 – Sale of Surplus Property
Council Member Johnson made a motion to approve. Seconded by Council Member Mailman.
There was an opportunity for further discussion.
Motion passed 5-0.

Resolution 2015-24 – Open Container Approval – IBMF Event
Council Member Johnson made a motion to approve Resolution 2015-24, a resolution “by the Mayor and Council of Stone Mountain, Georgia that the International Bicycle and Music Festival is exempted from the open container ordinance under the following conditions...” Seconded by Council Member Mailman. There was opportunity for further discussion. City Manager Gary Peet informed Council that the matter does not comply with the associated Ordinance 2015-03. IBMF only submitted to the City the application filed with the Internal Revenue Service for recognition as a 501(c)3 non-profit organization. The ordinance reads that the organization must have obtained the IRS determination letter. Council Member Mailman moved to table Resolution 2015-24, seconded by Council Member Johnson, passed 5-0.

REPORTS OF COMMITTEES

Planning & Zoning – No report.

Community Affairs – No report.

Economic Development/Downtown Development Authority – Mayor Pro-tem Johnson reported that the DDA has a work session scheduled for Wednesday, July 8, 2015 at City Hall at 6:30 p.m. She also reported that Tunes by the Tracks has been a success and the event will return in September and October of 2015. Council Member Mailman inquired about exploring other locations to place the banner announcing the event.

Finance – No report.

Community Outreach – Council Member Redmond reported that the community watch group started the Yard of the Month program. The Hampson’s on Forest Avenue received the award for Yard of the Month. Ms. Redmond further reported that “City Walkers” will be held this Saturday, July 11, 2015 at 7:30 a.m. Walkers are to meet at the Red Caboose. She also reported that members of the Stone Mountain Rotary would like to support the Tunes By the Tracks event.

Public Safety – Council Member Mailman reported during this time that the Back to School Bash will be held Saturday, July 26, 2015 from 10:00 a.m. to 2:00 p.m. at the Baptist Church Pavilion. He encouraged those persons with children to attend.

Public Works – No report.

Historic Preservation Commission – No report.

MINUTES OF THE REGULAR COUNCIL MEETING

Tuesday, July 7, 2015 @ 7:30 P.M.

City Hall

Page 5

Visitor Center – No report.

REMARKS OF PERSONAL PRIVILEGE

Council Member Mailman thanked those present for attending the meeting. He also thanked City Attorney Joe Fowler for providing legal services to the City. Mr. Mailman thanked City Manager Gary Peet for his diligence in working overtime on numerous projects.

Council Member Redmond informed those present that during the next work session she will be proposing a mosquito control program. She has presented Council with information regarding implementation of the program.

ANNOUNCEMENTS BY THE MAYOR

Mayor Wheeler thanked Mr. Paul and Mrs. Diana Hollis for their preparation of barbeque ribs and other items for the police officers and other employees on the 4th of July.

Mayor Pro-tem Chakira Johnson thanked all of the City's employees for the work performed on the 4th of July.

Council Member Redmond commented on how well the 4th of July holiday went, referencing the positioning of the barricades, the police department's effectiveness in monitoring the event, and the cooperation of the citizens and pedestrians.

ADJOURNMENT

Council Member Johnson made a motion to adjourn, seconded by Council Member Mailman. Motion approved 5-0. The meeting adjourned at 8:05 p.m.

Patricia Wheeler, Mayor

ChaQuias Miller Thornton, City Clerk