



Mayor and Council Meeting Business Session Minutes May 28, 2013 7PM

The Riverdale Mayor and City Council met on May 28, 2013 at 7:33PM for the purpose of conducting a Business Session. The meeting was held in the Council Chambers at City Hall located at 7200 Church Street, Riverdale, Georgia 30274.

Call to Order and Welcome

With a quorum present, Mayor Evelyn WyDixon called the meeting to order at 7:33PM.

ROLL CALL:

All members of the governing body were present at the meeting at 7:33PM; Council Member Ruffin was absent.

INVOCATION/PLEDGE OF ALLEGIANCE:

Invocation & Pledge was led by Assistant Chief of Police, Todd Spivey.

OFFICER IN ARMS TO READ RULES OF CONDUCT:

Rules of Conduct read by Officer L. Stevenson.

APPROVAL OF AGENDA WITH ANY ADDITIONS/DELETIONS:

The following amendments were made to the agenda:

Addition(s): Scholar's Academy& Business Incubator/Kaiser Permanente Insurance **Plan**

Deletion(s): **None.**

Tabled: **None.**

Postponed: **None.**

Motion: Council Member Wanda Wallace moved to approve the agenda as published. Council Member An'cel Davis moved to second the motion. The measure was approved unanimously by a vote of 3/0.

PRESENTATIONS

❖ **Special Presentation to Judge Pro Tem, Pamela Everett, Freeman Mathis & Gary, LLC.**

Assistant Interim City Manager, Nathaniel Mingo, came before the Board to present a proclamation to Judge Pro Tem, Pamela Everett, on behalf of the governing body. He stated that Judge Everett would be leaving the City.

Each member of the Board thanked Judge Everett for her service to the City.

CONSENT AGENDA:

- ❖ **Adoption of the May 13, 2013 Mayor and Council Meeting Minutes.**
- ❖ **Adoption of the April 27, 2013 Mayor and Council Retreat Minutes.**
- ❖ **Adoption of the May 08, 2013 Mayor and City Council Meeting Minutes.**
- ❖ **Adoption of the 2013 Zoning Schedule.**
- ❖ **Consensus to allow Police and Fire Services to occupy the Riverdale Center for Innovation.**
- ❖ **Adoption of Kaiser Permanente City Insurance Plan.**

Motion: Council Member Wanda Wallace moved the consent agenda for approval. Council Member An'cel Davis moved to second the motion. The measure was approved unanimously by a vote of 3/0.

PUBLIC COMMENT(S): Angela Ballew 6340 Highway 85, Riverdale, GA 30296; Ms. Ballew came before Mayor/Council to announce that she had just opened a new business in the City. She announced that the company would be promoting PRIDE Week.

Each member of the Board welcomed Ms. Ballew and thanked her for bringing new business into the City.

Gwendolyn Williams 7167 Williamsburg Dr., Riverdale, GA 30296. Ms. Williams came before the Board to ask for an update on walking trail and playground.

Mayor Dixon thanked Ms. Williams for sharing her concerns with the City and advised her to stay until after the meeting for further discussion.

OLD BUSINESS:

RESOLUTION NO. 13-05-2013 Request to Enter into a Contract With EarthLink Business Solutions presented by Director of Information Technology, Lemmy Paskel.

Director of Information Technology, Lemmy Paskel, presented Resolution No. 13-05-2013. He requested authorization to enter into a contract with EarthLink Business Solutions. He advised that the contract with the City's current Voice and Data provider, Windstream Communications, has expired. Mr. Paskel stated that the IT Department has determined that the current services being offered are not adequately serving the

city. He recommended that the City enter into a new contract with EarthLink Business Solutions. He further stated that although the City would be increasing its bandwidth it would be decreasing its cost, as well as several other benefits listed in the service package.

Mayor Dixon called for questions and comments from members of the governing body.

Council Member Stamps-Jones thanked Mr. Paskel for the presentation.

Council Member Davis and Mr. Paskel had a brief discussion about how the new service carrier would respond during power outages, during which Mr. Paskel indicated that the City's services would not be impacted by it.

Council Member Wallace asked Mr. Paskel to identify the main campus wherein the new service would operate.

Mr. Paskel indicated that the main campus would be at 6690 Church St., Riverdale, GA 30274.

She asked Mr. Paskel to notify the Board at least sixty days prior to the contract expiring in order to avoid any periods where the City would not be under contract with a vendor.

Mr. Paskel affirmed.

Motion: Council Member Cynthia Stamps-Jones moved to approve the resolution. Council Member Wanda Wallace moved to second the motion. **Resolution No. 13-05-2013** was approved unanimously by a vote of 3/0.

RESOLUTION(S):

RESOLUTION NO. 14-05-2013 Request to Amend Budget for Pothole Repairs presented by Karl Kelley, City Manager.

A RESOLUTION OF THE RIVERDALE CITY MAYOR AND COUNCIL MEMBERS, AMENDING THE ADOPTED FISCAL YEAR 2013 BUDGET IN THE AMOUNT OF \$13,500 FOR THE PURPOSE OF REPAIRING POTHoles ON THE HEAVILY TRAVELED CITY-OWNED STREETS; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND TO PROVIDE FOR OTHER LAWFUL PURPOSES.

Mr. Kelley advised that the City Council of the City of Riverdale adopted Resolution No. 11-05-2013 which adopted the final budget for the fiscal year beginning July 1, 2012 and ending June 30, 2013. He asked for permission to amend the FY2013 Operating Budget so potholes could be repaired on heavily traveled Riverdale roads.

Mr. Kelley stated that during his tenure reparation of potholes along the City's thoroughfares have been the foremost among residents' complaints. Mr. Kelley said that inclement weather has contributed heavily to this occurrence. He asked the Board for authorization to amend the budget in the amount of \$13,500.00 for the purpose of repairing potholes on heavily traveled roads. Mr. Kelley further indicated that staff finds the action to be in the best interest of the public's health, safety and general welfare.

Mayor Dixon called for questions and comments from members of the governing body.

Council Member Wallace and Mr. Kelley had brief discussion about the roads that were on the work order list to be serviced.

Council Member Davis thanked Mr. Kelley for requesting to take this much needed action.

Council Member Stamps-Jones indicated to Mr. Kelley that there was a street sign missing on Howard St.

Motion: Council Member Cynthia Stamps-Jones moved to approve Resolution No. 14-05-2013. Council Member Wanda Wallace offered the second. **Resolution No. 14-05-2013** was approved unanimously by a vote of 3/0.

PUBLIC HEARING(S):

ORDINANCE NO. 05-2013-Request to amend Article V, Section 5.4 "Yard Fencing or Walls", of the Zoning Ordinance to include language that prohibits Slatted PVC chain link fencing (Associated with PETITION No: 2013ZTA-0004)

AN ORDINANCE OF THE RIVERDALE MAYOR AND COUNCIL, AMENDING APPENDIX A, ARTICLE V, SECTION 5.4, ENTITLED "YARD FENCING OR WALLS," OF THE CODE OF THE CITY OF RIVERDALE, GEORGIA, AS AMENDED, TO INCLUDE LANGUAGE TO RESTRICT THE HEIGHT LOCATION OF FENCES IN THE FRONT YARD AND RESTRICT THE TYPES OF MATERIALS FENCES CAN BE CONTRUCTED."

Mayor Dixon opened the floor for the public hearing.

Director of Planning and Zoning, Camilla Moore, came before the Board to request permission to amend Article V, Section 5.4 "Yard Fencing or Walls", of the Zoning Ordinance to include language prohibits Slatted PVC chain link fencing. She indicated that Article V, Section 5.4 currently allows an (8) foot fence to extend into the front yard; that this could potentially become a safety hazard for police, emergency personnel and the general public by not being able to see a nearby structure and the activities thereof. Ms. Moore further advised that additional language was added to exclude undesirable materials in which fences are constructed. Ms. Moore advised that the proposed ordinance will prevent unsightly fences in commercial areas specifically in

dumpster enclosures. She advised that these changes would help decrease the amount of maintenance required and decrease the potential for complaints of unsightly areas; that the language would strengthen the zoning ordinance and the enforcement of its policies.

Council Member Stamps-Jones asked if there were any pictures to illustrate the unsightly fences aforementioned.

Ms. Moore advised that there were none available, but that she would email them to the Board.

Council Member Stamps-Jones asked how the ordinance would impact residents with existing fences that might, under the new law, leave them in non-compliance.

Ms. Moore indicated that those citizens would be grandfathered in. She advised that if in the event the fences are damaged or destroyed that those citizens would have to rebuild fences that fell into compliance with the new ordinance.

Council Member Davis and Ms. Moore briefly discussed some provisions of the grandfather clause.

Council Member Wallace asked Ms. Moore if there was an existing ordinance that allows the City to enforce the maintenance and upkeep of fences and other properties.

Ms. Moore advised that there was no such ordinance.

Mayor Dixon called for those in favor of the measure:
None approached the podium.

Mayor Dixon called for those in opposition of the measure:
None approached the podium.

Mayor Dixon closed the public hearing.

Motion: Council Member Cynthia Stamps-Jones moved to approve **Ordinance No. 05-2013**. Council Member Wanda Wallace offered the second. **Ordinance No. 05-2013** was approved unanimously by a vote of 3/0.

ORDINANCE NO. 06-2013 (2013ZTA-0004)-Request to amend Article VIII, Section 8.1 to add Section 8.1.1 to establish Separation of Uses including but not limited to non-profit organization and clubs, private and parochial schools, churches, temples, mosques, synagogues and other religious associations. Article VIII Sub Section 8.1.1 currently does not exist in the current zoning ordinance (Associated with PETITION No: 2013Z-0001).

AN ORDINANCE OF THE RIVERDALE MAYOR AND COUNCIL TO AMEND APPENDIX A, ARTICLE VIII, SECTION 8.1, ENTITLED "SEPARATION OF USES," OF THE CODE OF THE CITY OF RIVERDALE, GEORGIA, AS AMENDED, TO ESTABLISH SEPARATION OF SIMILAR USES."

Mayor Dixon opened the floor for the public hearing.

Mayor Dixon called for questions and concerns from the members of the governing body.

Council Member Stamps-Jones thanked Ms. Moore for her presentation.

Council Members Wallace and Davis had questions related to the distance requirements. After a brief explanation of the item by Ms. Moore, it was determined that the Council needed more time to review the proposed ordinance.

Mayor Dixon closed the public hearing.

Motion: Councilwoman Cynthia Stamps-Jones moved to postpone Ordinance No. 06-2013. Councilwoman Wanda Wallace offered the second. **Ordinance No. 06-2013** was approved unanimously by a vote of 3/0.

PETITION No: 2013Z-0001-Rezoning request by Shake Properties, LLC pertaining to the property located at 326 Highway 138 Riverdale, GA 30274 with Parcel ID #13-203D - C-001. The request is to subdivide the subject parcel and rezone property from its current zoning classification of C-2C General Commercial with Conditions to C-2-General Commercial to remove the existing conditions.

Mayor Dixon opened the floor for the public hearing.

Ms. Moore and introduced Petition No: 2013Z-0001. She explained that the property at 326 Hwy 138 is zoned C-2C General Commercial with Conditions and currently has a office building on 1/3 one-third of the property. She further explained that the proposed subdivided parcels of property (Lot 2) and (Lot 3) areas currently vacant without a building structure. She said that the subject property has (2) two points of access, one off of Highway 138 and the other off of Taylor Road. Moreover, she explained that the proposed subdivided parcels will use the existing ingress and egress located on Lot 1. Ms. Moore indicated that the site plan indicates that the petitioner has allowed for a 30' ingress/egress along the frontage of Lot 2 & 3 at Highway 138 and a 50' ingress/egress along the frontage of both lots at Taylor Road.

Ms. Moore indicated that staff recommends approval of the petition with the following conditions:

- 1. The petitioner must get approval from Georgia Department of Transportation for a turn lane into the property off of Highway 138.**
- 2. The petitioner must get approval to install a turn lane off of Taylor Road.**
- 3. The petitioner must get approval to install an accel/decel lane off of Taylor Road.**
- 4. The petitioner must get approval from Clayton County Water Authority to install an ingress/egress inter-parcel access over the existing sanitary sewer easement.**
- 5. The petitioner site plan must allow for access to the adjacent parcel.**
- 6. The petitioner must ensure that the proposed lot will be created in such a way as to meet building separation and landscaping requirements.**
- 7. The petitioner must ensure that the proposed lot will be created in such a way as to meet parking requirements (based on the use and footprint of the building).**

Mayor Dixon called for questions and concerns from the members of the governing body.

Councilwoman Stamps-Jones asked for a visual of the subject property.

Ms. Moore directed the Board's attention to the Google Earth map provided on the projection screen.

Mr. Davis asked the applicant to provide street directions to the subject property from Riverdale High School.

Ms. Wallace inquired about the intended use of the subject property. She added that she does not have any personal biases against the petitioner or the department; however, she is a stickler for receiving information in enough time to review and make an educated decision. She asked if the petition was time sensitive.

Mr. C. Crandle Bray, PC, spoke on behalf of the applicant. He responded that the petition was not time sensitive and he and the applicant could wait until the Mayor and Council are completely comfortable with approving the item. He indicated that the applicant wants to sub-divide the subject parcel and rezone property from its current zoning classification of C-2C General Commercial in an effort to increase marketability.

After an in depth discussion about the petition, the pleasure of the Board was to postpone the item until the second meeting in June.

Motion: Councilwoman Cynthia Stamps-Jones moved to postpone Petition No: 2013Z-0001. Councilwoman Wanda Wallace offered the second. Petition No: 2013Z-0001 was approved unanimously by a vote of 3/0.

MAYOR AND COUNCIL COMMENT(S):

Council Member Cynthia Stamps-Jones

Council Member Stamps-Jones thanked everyone for attending the meetings and asked that they plan to attend future meetings.

Council Member An'cel Davis

Council Member Davis thanked the audience for attending. He also thanked public safety for attending as well.

Council Member Wanda Wallace

Council Member Wanda Wallace thanked everyone for attending the meeting. She thanked the E 9-1-1 staff as well.

Council Member Kenneth Ruffin

Absent.

Mayor Evelyn Wynn Dixon

Mayor Evelyn Wynn Dixon thanked everyone for attending the meeting. Mayor Dixon also thanked the public safety department for attending as well. She said so many positive things are happening in Riverdale and she is proud to represent the City as the mayor.

ADJOURNMENT:

Motion to adjourn by Council Member Councilwoman Wanda Wallace; second offered by Council Member Cynthia Stamps-Jones, and after a unanimous vote, the meeting adjourned at 9:06PM.