



Mayor and Council Meeting Business Session Minutes January 14, 2013 7PM

The Riverdale Mayor and City Council met on January 14, 2013 at 7:00PM 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 Wynn-Dixon called the meeting to order at 7:00PM.

ROLL CALL:

All members of the governing body were present at the meeting at 7:00PM.

INVOCATION/PLEDGE OF ALLEGIANCE:

Invocation & Pledge was led by Chief Samuel L. Patterson.

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): None.

Deletion(s): None.

Tabled: _____None.

Postponed: None.

Motion: Council Member Wanda Wallace moved to approve the agenda as published. Council Member Cynthia Stamps-Jones moved to second the motion. The measure was approved unanimously by a vote of 4/0.

APPOINTMENT OF CITY OFFICIALS

Appointment of Liaison to Clayton County Municipal Association (CCMA)

Motion: Council Member Cynthia Stamps-Jones motioned to nominate Mayor Evelyn Wynn-Dixon to be a representative for the Clayton County Municipal Association

(CCMA) for the year 2013. Council Member Cynthia Wanda Wallace moved to second the motion. The measure was approved unanimously by a vote of 4/0.

Appointment of Mayor Protem

Council Member An'cel Davis said that he had conducted research and found that many municipalities rotate the position of Mayor Pro Tem. He said that it was something in which all council members needed experience.

Motion: Council Member An'cel Davis motioned to nominate Council Member Stamps-Jones Mayor Protem. Council Member Wanda Wallace moved to second the motion. The measure was approved unanimously by a vote of 4/0.

Appointment to Parliamentarian of Mayor/Council

Motion: Council Member Wanda Wallace motioned to reappoint Council Member An'cel Davis to Parliamentarian. Council Member Cynthia Stamps-Jones moved to second the motion. The measure was approved unanimously by a vote of 4/0.

Appointment of City Clerk

Motion: Council Member Wanda Wallace motioned to reappoint Stephanie Thomas to City Clerk. Council Member Cynthia Stamps-Jones moved to second the motion. The measure was approved unanimously by a vote of 4/0.

Appointment of City Attorney

Council Member An'cel Davis advised that the City is required to have a City Attorney in place. Council Member An'cel Davis indicated that the Board would like to reappoint the City Attorney and bring the measure back up once the Request for Proposal (RFP) for the services of City Attorney had been issued and answered. The Board would again vote on the measure at a later time.

Motion: Council Member Wanda Wallace motioned to reappoint Insley Race to City Attorney. Council Member Cynthia Stamps-Jones moved to second the motion. The measure was approved unanimously by a vote of 4/0.

Reappointment of Municipal Court Judge, Ronald Freeman

Motion: Council Member Wanda Wallace motioned to reappoint to the Municipal Court, Judge Ronald Freeman. Council Member An'cel Davis moved to second the motion. The measure was approved unanimously by a vote of 4/0.

Appointment of Municipal Court Judge Protem, Pamela Everett; Judge Protem, John DeFoor; Municipal Judge Protem, William West; Municipal Court Solicitor, Jerry Patrick; Municipal Court Solicitor Protem, Jason Martin

Motion: Council Member Wanda Wallace motioned to appoint to Municipal Court Judge Pro Tem, Pamela Everett; Judge Protem, John DeFoor; Municipal Judge Protem, William West; Municipal Court Solicitor, Jerry Patrick; Municipal Court Solicitor Protem, Jason Martin. Council Member An'cel Davis moved to second the motion. The measure was approved unanimously by a vote of 4/0.

SWEARING IN OF CITY OFFICIALS

Mayor Dixon called each appointee to the dais to issue the official oath of office for the following offices:

Office of the City Clerk
City and Deputy City Attorney

CONSENT AGENDA:

Adoption of the December 27, 2012 Official Meeting Minutes.

Motion: Council Member Wanda Wallace moved for approval of the December 27, 2012 Official Meeting Minutes. Council Member An'cel Davis moved to second the motion. The measure was approved unanimously by a vote of 4/0.

Adoption of RESOLUTION NO. 01-01-2013- Alcoholic Beverage License fees for the Riverdale Downtown Development Authority by Michael Syphoe

A RESOLUTION OF THE RIVERDALE MAYOR & CITY COUNCIL APPROVING THE RIVERDALE DOWNTOWN DEVELOPMENT AUTHORITY'S REQUEST FOR A WAIVER OF ALCOHOLIC BEVERAGE LICENSE FEES; AND TO PROVIDE AN EFFECTIVE DATE.

Director of the Riverdale Downtown Development Authority, Michael Syphoe, came before the Board and advised that the Riverdale Downtown Development Authority (RDDA) works in conjunction with the Riverdale Centre on events that offer adult beverages for sale. Mr. Syphoe further stated that the RDDA must purchase an Alcohol Beverage License to sell alcohol at Riverdale events. He said that the RDDA's budget is very limited and they are requesting that the City waive the \$7,500 fees associated with the acquisition of this license. He advised that sales had increased by twelve percent over the past year; however the RDDA still has not reached full operational sustainability.

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

Council Member Ruffin said that the County Commissioners are having a possible issue with voting on measures that call into question the urgency of matter(s) requiring passage. He said that he does not recall amending to put the item on the agenda. Councilman Ruffin further stated that he thinks there has to be certain conditions to put in an emergency amendment on the agenda; things that are considered real estate matters, etc. He said that he doesn't know if there is another event coming up within two weeks of the business session (that would require the measure to be voted as an emergency matter).

Mr. Syphoe said that there was an event coming up Thursday, January 17, 2013.

Councilman Ruffin asked Deputy City Attorney, Sharonda Boyce, if the City was under the same emergency standards that the County Commission is under insofar as its Open Records Act regulation is concerned. He said that he did not want to be out of compliance by adding a non-emergency item to the agenda at the Business Session meeting.

Ms. Boyce advised that the agenda was amended on the Thursday prior to the Business Session meeting. She asked City Clerk, Stephanie Thomas if that was the correct day the agenda was amended.

Ms. Thomas confirmed that it was amended Thursday and published on Friday.

Ms. Boyce asked Councilman Ruffin if the revised agenda was what he considered during the Work Session.

Council Member Ruffin advised that he had not picked up his agenda packet until the Saturday prior to the meeting.

Ms. Thomas advised that the amended packets were emailed to the Board on the Thursday prior to the meeting.

Council Member Ruffin said that he had no problem issuing the waiver; his concern was to avoid non-compliance with the Open Meetings Act.

Ms. Boyce advised that if the Board did not consider the amended agenda, submitted Thursday, January 10, 2013, at the beginning of the meeting, then the City would be considered improper. She asked the Board if the consensus was that the amended item had not been added to the distributed agenda.

Council Member Davis advised that the amended agenda was sent via email. He and Council Member Ruffin had a brief discussion on a matter involving the County and its compliance with Open Records Act regulation.

Council Member Ruffin asked if the agenda had been published before the deadline.

Ms. Thomas advised that the Board was in receipt of the draft agenda that was published to the City's website one week in advance. She added that as the City Clerk's office commences to build the agenda, it provides the final draft to the Board as well; this also is posted on the City's website. She added that changes can be made even during the meeting with a majority vote and the intent of the Open Meetings Act is just to ensure that the public is aware of what is being discussed during meetings.

Council Member Ruffin asked if Thursday preceding the meeting was enough time for the recent amended agenda to be official.

Ms. Thomas affirmed. Ms. Thomas further advised that the Board ought to make a motion to amend the agenda at the Business Session, to add the item to its agenda. With a majority vote, she said, the Board can move forward with the measure if that is the pleasure of the Mayor/Council.

Council Member Wallace said that she understood the concerns of Council Member Ruffin and that she would like to make a recommendation to enforce the deadline established by the City Clerk to submit agenda items within the established timeframe. She said to Mr. Syphoe that he may not be able to sell wine at the upcoming event and that the item should be brought back before Mayor/Council at the next council meeting.

Mayor Dixon said that she did recall the revised agenda being sent out on the week prior to the council meeting; that this was more than sufficient enough time. She recommended that the Board move forward with the adoption of the measure.

Council Member Davis advised that the Board move forward with the measure. He also added that there was an oversight on the part of the Council with regard to the email that was sent informing the Board of the amendment.

City Attorney, David Johnson, said that the concern of the County was that there were items that would appear on the agenda that were never published, nor made part of the public record. He said that he does not think that was the circumstance with the request of the RDDA.

Mayor Dixon asked Mr. Johnson if his recommendation was to move forward.

Mr. Johnson affirmed.

Mayor Dixon advised that she would like to recommend that the measure be placed on the floor to be voted upon. She asked Council Member Stamps-Jones if she had any questions for Mr. Syphoe.

Council Member Stamps-Jones said she had no questions.

Councilmember Ruffin said that he had no problem with the waiver being issued. He advised that, with the protocol for submitting agenda items being as it is, there is a soft deadline for submitting agenda items. This, he said, means that amendments could be made up until a day before a meeting.

Ms. Thomas said that the City Clerk's Office tries to publish as close to the deadline as possible; however, there are items that sometimes have to be added after the initial draft of the agenda is published.

Motion: Council Member An'cel Davis moved Resolution 01-01-2013 approval. Council Member Stamps-Jones moved to second the motion. The measure was approved unanimously by a vote of 2/0. Council Members Stamps-Jones and Ruffin abstained.

PUBLIC HEARING(S):

Ordinance No. 01-2013 SAME-JURISDICTION; SENTENCE presented by Sharonda Boyce Deputy City Attorney

AN ORDINANCE OF THE RIVERDALE MAYOR AND CITY COUNCIL, AMENDING SECTION 24, "SAME-JURISDICTION; SENTENCE" OF THE CHARTER OF THE CITY OF RIVERDALE, GEOARGIA, AMENDED, TO DELETE SECTION 24 IN ITS ENTIRETY, INCLUDING ANY AMENDMENTS THERETO AND REPLACE IT WITH A NEW SECTION 24 "SAME-JURISDICTION; SENTENCE;" TO REPEAL CONFLICTING PROVISIONS; AND FOR OTHER PURPOSES.

City Attorney, Sharonda Boyce, came before the Board and advised that Ordinance No. 01-2013 is being brought before Mayor/Council in order to bring the City Charter in compliance with what the court is ordering. She said that is an ordinance of the Riverdale City Council, amending Section 24 "Same-Jurisdiction; Sentence" of the Charter of the City of Riverdale, amended, to delete Section 24 in its entirety, including any amendments thereto and replace it with a new Section 24M "Same-Jurisdiction; Sentence;" to repeal conflicting provisions and for other purposes.

Mayor Dixon opened the floor for the public hearing.

Mayor Dixon called for questions/comments from members of the governing body. Council Member Ruffin had no questions.

Council Member Wallace had no questions.

Council Member Davis had no questions.

Council Member Stamps-Jones had no questions.

Mayor Dixon called for members of the public in opposition of the matter.

There were none.

Mayor Dixon called for members of the public in support of the matter.

There were none.

Mayor Dixon closed the public hearing.

Motion: Council Member Kenneth Ruffin moved **Ordinance No. 01-2013** for approval. Council Member Stamps-Jones moved to second the motion. The measure was approved unanimously by a vote of 4/0.

Ordinance No. 02-2013 CONTEMPT OF COURT presented by Sharonda Boyce, Deputy City Attorney

AN ORDINANCE OF THE RIVERDALE MAYOR AND COUNCIL, AMENDING SECTION 25, "[SAME--] CONTEMPT" OF THE CHARTER OF THE CITY OF RIVERDALE, GEORGIA, AS AMENDED, TO DELETE SECTION 25 IN ITS ENTIRETY, INCLUDING ANY AMENDMENTS THERETO REPLACE IT WITH A NEW SECTION 25, "[SAME--] CONTEMPT;" TO REPEAL CONFLICTING PROVISIONS; AND FOR OTHER PURPOSES.

City Attorney, Sharonda Boyce, came before the Board and advised that Ordinance No. 02-2013 is being brought before Mayor/Council in order to address the contempt of court jurisdiction that the municipal court has. She said that it is being amended to keep the City in compliance with what the court is ordering; that the fine amounts have been adjusted to \$1,000 instead of \$500. She advised that it is an ordinance of the Riverdale City Council, amending Section 25 "Same-Contempt; Sentence" of the Charter of the City of Riverdale, amended, to delete Section 25 in its entirety, including any amendments thereto and replace it with a new Section 25 "Same-Contempt; Sentence;" to repeal conflicting provisions and for other purposes.

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

Council Member Ruffin asked Ms. Boyce for an explanation of the ordinance.

Ms. Boyce advised that it was brought to the attention of Legal that it was the understanding of the municipal court that it had \$1,000 in jurisdiction, which was not reflected in the City's charter. She said that to bring it into compliance with what other cities are giving in their municipal courts the City had to amend the jurisdiction to one thousand dollars. She further stated that they wanted to ensure the City was not being

placed in a position where it was giving a contempt amount that the charter does not grant the authority to do.

Mayor Dixon opened the floor for the public hearing.

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

Mayor Dixon called for members of the public in opposition of the matter.

There were none.

Mayor Dixon called for members of the public in support of the matter.

There were none.

Motion: Council Member Kenneth Ruffin moved **Ordinance No. 02-2013** for approval. Council Member Stamps-Jones moved to second the motion. The measure was approved unanimously by a vote of 4/0.

MAYOR AND COUNCIL COMMENT(S):

Council Member Cynthia Stamps-Jones

Council Member Stamps-Jones thanked everyone for attending. She thanked Director of Cultural Affairs, Cie Cie McGhee, on the hiring of her new support staff. She also thanked Fire Services.

Council Member An'cel Davis

Council Member Davis thanked everyone for coming and wished everyone Happy New Year. He also commended the Cultural Affairs staff. He also thanked Fire Services as well as the public in attendance.

Council Member Wanda Wallace

Council Member Wanda Wallace thanked everyone for attending the meeting and wished everyone a Happy New Year.

Council Member Kenneth Ruffin

Council Member Ruffin thanked everyone for attending. He announced the basketball league that takes place at the recreational center on Saturdays.

Mayor Evelyn Wynn Dixon

Mayor Dixon thanked everyone for attending the meeting. She thanked Public Services and members of management. She said that there were new businesses coming to the City. She also thanked Cie Cie McGhee for all the hard work of her staff. She further stated that the new county chair was working with the municipalities to settle the

Service Delivery Strategy. She announced that she was selected as the chairman for Relay for Life and was looking to work with several organization to raise money for cancer research. Mayor Dixon also announced the upcoming Martin Luther King, Jr. Holiday celebrations.

ADJOURNMENT:

Motion to adjourn by Council Member Wanda Wallace; second offered by Council Member An'cel Davis, and after a unanimous vote, the meeting adjourned at 7:40PM.