

The Riverdale Mayor and City Council met on July 22, 2013 at 6:00PM for the purpose of conducting a regular work session. The meeting was held in the conference room on the second floor 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 6:00PM.

Roll Call

All members of the governing body were present for the meeting except Council Member Kenny Ruffin.

Approval of the Agenda

The following amendments were made to the agenda:

Addition(s): None.

Deletion(s): None.

Postponement(s): None.

Tabled Item(s): None.

The Agenda was approved by general consensus.

Resolution Requesting Authorization to Purchase Video Cameras for 971 Wilson Road & RRP Concession Stand presented by the Riverdale Police Department.

Major Greg Barney presented the proposed resolution. He communicated the need for surveillance cameras to be installed at the Riverdale Regional Park and at 971 Wilson Road. He said it is the departments effort to be proactive and to prevent/reduce future crimes from occurring. He added that the existing equipment that is installed at 971 Wilson Road is antiquated and does not have the ability to assist with identifying criminals. He provided the price quotes for both surveillance units. He said the money will be taken from Racketeer Influenced and Corrupt Organizations Act (RICO).

Mayor Dixon called for questions and/or concerns from the Board.

Council Member Wallace inquired about the age of the existing surveillance equipment. She also inquired about the time period in which the crimes took place. Ms. Wallace opined that if the equipment was not performing at its best or if it was useless in serving its purpose of monitoring the facilities, then it should have been replaced a number of years ago. She said the incidents that occurred at 971 Wilson Road could have been prevented had the City had the proper equipment. She said it appears that the Police Department is being reactive rather than proactive. Ms. Wallace asked if the City's bidding procedures had been followed to identify a vendor.

Mr. Karl Kelley, Interim City Manager, responded no. He said he authorized the Chief of Police to waive the competitive bidding process because of the emergency nature of the request. He said he did not realize that only the Mayor and Council could authorize such waiver.

Mayor Dixon said that she is concerned with life safety issues. She urged the City Council Members to consider the matter during the business session.

Ms. Wallace informed Mr. Kelley that the emergency was during the time period that the criminal activity occurred. She said the City Council Members are concerned with life safety issues as well; however, it does not mean that departments do not have to follow the process. She further stated that if nothing was done at that time to protect the property and employees, then it certainly is not an emergency any longer. She recommended that the City Manager direct the Chief of Police to increase directed patrol at both locations. She said officers should be dispatched to 971 Wilson Road to escort late-working employees to their cars until the department follows through with the City's competitive bidding process. She said the City should always be above reproach and therefore, every department should follow the established procedures and avoid cutting corners. She said the citizens deserve to get the best, most competitive pricing and service.

Mr. Davis asked why the Chief and Assistant Chief of Police were absent simultaneously.

Mayor Dixon said there are no laws that require the chief to attend the council meetings.

Ms. Thomas advised the mayor that the Code of Ordinances require the Chief of Police to regularly attend meetings of the city council and any other meetings as directed by the council.

Mr. Davis added that if the Chief is not present at the meetings, the Assistant Chief should be there. He said both of them should not be out of town at the time unless they have personal/professional related emergencies.

Mr. Davis advised the City Manager of his desire to have an officer escort the employees into the building when they are the first to arrive in the mornings. He further stated that the police department will have to increase visibility and do whatever it has to do to ensure the safety of the employees and property until the surveillance equipment is secured the proper way.

Ms. Stamps-Jones inquired about the competitive bidding process. She specifically asked how long the bidding process will take.

Ms. Thomas responded that the department has the discretion to set the amount of time that the bid will be in circulation.

There was consensus to direct the City Manager to authorize the department to undergo the competitive bidding process for the surveillance equipment. The Police Department will also be required to provide a plan of action related to how the employees/property will be protected until the surveillance system has been purchased.

Discussion about Development Fee Schedule presented by Camilla Moore, Director of Planning/Zoning, CD, ED & Business Services.

Ms. Camilla Moore, Director of Planning, Zoning, Community Development, Economic Development & Business Services.

Ms. Moore informed the Board that pursuant to City Charter and Local City Ordinances, Development Fees and Schedules must be adopted and approved by Mayor and Council. She said the proposed Development Fee Schedule is a comprehensive listing of relevant development fees. She further said that the development fees are associated with the issuance of permits and plan review for current and pending development within the City. Fees are comparable to those of adjoin cities and of other jurisdictions nationally of similar size. Ms. Moore added that the development fees are now more equitable and consistent with what other jurisdictions are charging on a national level.

Mayor Dixon called for questions and concerns.

Ms. Wallace inquired about the last time development fees were adopted.

Ms. Moore responded that the fees have been adopted annually with the last time being in 2012.

There was consensus to bring the Development Fees for consideration at a subsequent meeting.

Discussion about Zoning Moratorium Uses (Beauty shops, gas stations, etc.) presented by Camilla Moore, Director of Planning/Zoning, CD, ED & Business Services.

Ms. Moore reminded the Mayor and Council that the current zoning ordinance prohibits a number of uses from existence within the City; however, Staff is requesting Mayor and Council to resolve existing conflicts within the ordinance and for the approval of Staff to draft for adoption, procedures to govern the reintegration of any such uses. She informed the governing body that upon commencing employment with the City, she was told there was a standing moratorium on certain businesses. She said Staff has not be able to find any legislation in supporting a moratorium; however, the current ordinance prohibits barber and beauty shops within the City limits. She explained that this means that no new beauty/barber establishments will be allowed in the City even if all existing ones were to close down.

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

Ms. Wallace indicated that she supports the current practice.

Mr. Davis indicated that he is prepared to considered the new language for adoption.

Ms. Stamps-Jones asked

Ms. Moore indicated that a moratorium was approved in 2009; however, she has been unable to locate any supporting documentation.

Ms. Thomas responded that the last moratorium was approved in 2004 to allow Staff time to re-write the zoning code. She said once the code was adopted in August 2004, the moratorium was lifted.

Matthew LaVallee advised the governing body that moratoria are supposed to be short, tied to a direct threat to the public health, safety and general welfare, given a specific start and end date. He added that moratoriums should not be for an extensive amount of time; therefore, it is not logical to assume that the moratoria is still in place.

Ms. Wallace asked that all correspondence be channeled through the city clerk regarding this matter. She added that Staff should not contact the Mayor and Council directly.

There was consensus to forward any questions, concern, comments and/or information regarding the proposed legislation to the city clerk, who in turn, will provide it to Ms. Moore.

Overview of Phase II Property Maintenance Standards Part B presented by Camilla Moore, Director of Planning/Zoning, CD, ED & Business Services.

Thomas Marshall, CAA, informed the Board that they will be considering legislation that will allow the City to achieve compliance with the State of Georgia International Property Maintenance Code. He explained that the current city reference to the Standard Housing Code is no longer enforceable under state law. He stated that the IPMC applies to all existing residential and non-residential structures and premises. Mr. Marshall stated that as a result of the extensiveness of the recommend modification to the ordinance, it will be introduced in three (3) parts for consideration. He said the first was up for consideration during the business session and parts B and C would be considered during subsequent meetings. He welcomed input from the members of the governing body.

Mayor Dixon called for questions and/or concerns.

There were none posed.

Overview of Contract Addendum II for Charles Abbott Associates—Engineering Services presented by Camilla Moore, Director of Planning/Zoning, CD, ED & Business Services.

Ms. Moore introduced the final item. She said state law grants governments the authority to enter into contracts with engineers without having to go through the competitive bidding process. She asked legal to chime in.

Attorney Lavallee stated that he was not aware of a state law that granted such authority. He reminded Ms. Moore of his email to her advising her to undergo the competitive bidding process.

Ms. Moore insisted that the city attorney had advised her that the competitive bidding process could be waived based on the aforementioned state law.

Atty. LaVallee asked Ms. Thomas to confirm if Ms. Moore was referring to the city's bidding procedures or a state law. He said that his final recommendation was for Staff to go through the competitive bidding process.

Ms. Thomas said that Ms. Moore's reference applied to the city's internal process. She said the policy allows the City waive the competitive bidding process when entering into respective contractual agreements attorneys at law, engineers, accountants, medical

doctors, and other such professional personnel. Ms. Thomas explained that the provision does not apply to firms; only to individual professionals.

Mayor Dixon said she wants to move forward with approving the contract so the parking garage project will not be held up. She said that Ms. Moore has stressed the importance of having an engineer on Staff to in order to avoid state penalties.

Mr. Kelley stated that the City has a contract with Keck and Wood; however, the company has been sold and he is not pleased with the new owners. He said Staff recommends that the City enter into a contract with Charles Abbott Associates for engineering services so they can assist the City with securing local issuing authority status; not the parking garage. He said the RFP process will not the delay the construction of the parking garage. He said EPD and the Geo-Technical have already signed off on the parking garage. Mr. Kelley said there is no issue that CAA can assist with the parking garage.

Council Member Stamps-Jones exited the room at 7:03PM. All communication stopped due to a lack of a quorum. Ms. Stamps-Jones returned to the conference room at 7:05PM and the meeting was immediately convened.

Ms. Wallace said she is uncomfortable with awarding services to another company without opening it up for others to do business with the City.

Ms. Stamps-Jones explained that Keck and Wood no longer exists and Staff is asking that the City enter into a new contract with Charles Abbott Associates (CAA) for engineering services.

The consensus was to authorize Staff to move forward with the competitive bidding process.

Adjournment into Executive Session to Discuss a Personnel Matter by Mayor Dixon and Council Members Stamps-Jones, Davis, and Wallace.

There being no further business to come before Mayor and Council, Council Member An'cel Davis motioned to adjourn the work session and enter into an executive session where only a personnel matter will be discussed. Council Member Stamps-Jones seconded. The time was 7:09PM.