



City Council Regular Meeting Minutes  
 Jefferson Station Council Chambers  
 1526 East Forrest Avenue  
 Suite 400  
 East Point, GA 30344  
 November 5, 2012  
 6:30 PM

**Mission and Vision Statement for the City of East Point**

*To provide exceptional city services in the most professional, courteous and effective manner to enhance the quality of life in the City of East Point. East Point is a City of excellence in providing housing and business development opportunities, public safety, recreational and cultural activities.*

The Honorable Mayor Earnestine D. Pittman

**Ward A**

The Honorable Sharonda Hubbard At Large  
 The Honorable Alexander Gothard

**Ward C**

The Honorable Marcel Reed At Large  
 The Honorable Myron Cook

**Ward B**

The Honorable Patricia Langford At Large  
 The Honorable Lance Rhodes

**Ward D**

The Honorable Jacqueline Slaughter-Gibbons At Large  
 The Honorable LaTonya Martin

Interim City Manager:

Seigfried Jones

City Attorney:

Corliss Lawson

City Clerk:

Agnes Beltran Goodwine

**I. MEETING CALLED TO ORDER:**

Mayor Pittman called the meeting to order at 6:30p.m.

**II. ROLL CALL:**

Attendee Name	Title	Status	Arrived
Earnestine Pittman	Mayor	Present	
Sharonda Hubbard	At Large	Present	
Alexander Gothard		Present	
Patricia Langford	At Large	Present	
Lance Rhodes		Present	
Marcel Reed	At Large	Present	
Myron Cook		Present	
Jacqueline Slaughter-Gibbons	At Large	Present	
LaTonya Martin		Present	
Seigfried Jones	Interim City Manager	Present	
Corliss Lawson	City Attorney	Present	
Agnes Goodwine	City Clerk	Present	

**III. INVOCATION - Pastor Trent Carr- Divine Ministries of Faith:**

**IV. PLEDGE TO THE FLAG:**

Was recited in unison.

**V. ANNOUNCEMENT OF SERGEANT-AT-ARMS:**

Lieutenant Harrelson.

**VI. PRESENTATIONS AND ANNOUNCEMENTS:**

Council Member Reed requested a moment of silence to acknowledge the loss of two Atlanta Police officers. Officers Smiley and Halford were lost in a helicopter crash accident on Saturday.

Council Member Rhodes made a motion to appoint Stephen Zink to B.I.D.A. with Council Member Hubbard providing the second. **The motion carried unanimously.**

Council Member Martin announced a Town Hall Meeting on Saturday, November 10, 2012 10:30 a.m. to noon regarding Airport Noise. She urged all East Point residents and citizens to attend.

Council Member Martin made a motion to appoint Derrick Foreman to the East Point Building Authority with Council Member Hubbard providing the second. **The motion carried unanimously.**

Council Member Martin announced that Robert Cleveland of East Point Georgia received Congressional Medal of Honor from the U.S. Marine Corp. He is one of the few surviving members of the Montford Point Marine Corp.

James Hammond announced the 2012 10th Annual Citizens Leadership Academy class. Mr. Rand Burton Class Valedictorian, pastor and East Point resident presented. He said the 2012 class selected him to be a representative for the class and stated the class met with different people and staff in the city. Each course has provided a plethora of information. It has been a pleasure to meet and greet with everyone from the top to the bottom. He thanked everyone involved.

James Hammond presented the 10th Annual Citizens graduates and certificates were provided to Mr. Randon Burton, Ms. Beverly Ashley, Mr. Donald Wilcox, Ms. Raven Westmoreland, Ms. Johnquel Peters, Ms. Asabi Jetter, Mrs. Deanna Ingram Holiday, Ms. Patricia Gaines, Mr. Mark Fields, Ms. Julie Davis, and Mr. Thomas Calloway. Mr. Hammond announced the class nominated East Point Planning & Zoning Department as Department of the Year for the best presentation to the Citizens Leadership Academy.

Mayor Pittman thanked Mr. James Hammond for his work with the Citizens Leadership Academy.

**A. Ethics Board Final Report on Constanze Eckstein vs. Alexander Gothard 2012EB0009:**

1. Ethics Board Final Report on Constanze Eckstein Vs. Alexander Gothard 2012EB0009

**Presented by: City Clerk Ethics Board**

Council Member Rhodes made a motion to postpone consideration of the two ethics findings for tonight the preliminary and final reports until the Ethics Board approves them with Council Member Reed providing the second. **The motion carried unanimously.**

<b>RESULT:</b>	<b>APPROVED [8 TO 0]</b>
<b>MOVER:</b>	Lance Rhodes,
<b>SECONDER:</b>	Marcel Reed, At Large
<b>AYES:</b>	Hubbard, Gothard, Langford, Rhodes, Reed, Cook, Slaughter-Gibbons, Martin
<b>ABSTAIN:</b>	Earnestine Pittman, Seigfried Jones, Corliss Lawson, Agnes Goodwine

**B. Ethics Board Preliminary/Final Report on Melvin Pittman vs. Pat Langford 2012EB0019:**

1. Ethics Board Preliminary/Final Report on Melvin Pittman Vs. Pat Langford 2012EB0019

**Presented by: City Clerk Ethics Board**

Council Member Rhodes made a motion to postpone consideration of the two ethics findings for tonight the preliminary and final reports until the Ethics Board approves them with Council Member Reed providing the second. **The motion carried unanimously.**

<b>RESULT:</b>	<b>APPROVED [8 TO 0]</b>
<b>MOVER:</b>	Patricia Langford, At Large
<b>SECONDER:</b>	Marcel Reed, At Large
<b>AYES:</b>	Hubbard, Gothard, Langford, Rhodes, Reed, Cook, Slaughter-Gibbons, Martin
<b>ABSTAIN:</b>	Earnestine Pittman, Seigfried Jones, Corliss Lawson, Agnes Goodwine

**C. CONSIDERATION OF VETOED LEGISLATION - October 15th Council Meeting Agenda:**

October 16, 2012

To: The City Council of East Point, GA

Re: Vetoes of Council Action of October 15, 2012

**VETOES**

This is formal notification that I am vetoing the actions taken by Council on October 15, 2012, concerning the following:

1) The motion to adopt Zoning Text Amendment: **AN ORDINANCE TO AMEND PART 10, CHAPTER 2, ARTICLE B, SECTION 10-2044. D.** I am vetoing this Ordinance because I do not believe that it is in the best interest of the City residents or visitors to allow a four inch space between an eight ft. security fence and a ten ft. electric fence. A youth or an adult could easily be shocked by the electric fence simply by sticking his/her hand through or over the four inch distance between the security fence and the electric fence. The alternative is to place the eight ft. security fence three ft. from the ten ft. electric fence and not to allow electric fences in the City's "**BP**" **business park zoning district**. Do we really want ten ft. electric fences with a security fence in front of it in our business park district? Therefore, I am requesting the Council not to override my veto.

2) The motion to **Approve Year 6 CIP Projects**. I am vetoing this motion because it includes the Pearl Street Stormwater Project. The remaining estimated CIP funds of \$5 million need to be used to take care of Water and Sewer Projects. One-third of the \$52 million allocated for construction and design has been spent on Stormwater projects. The Water and Sewer Utilities do not have reserves or capital outlay funds for any emergency or needed projects identified in the original list of water and sewer projects. The Water and Sewer Utilities will have to raise residential and commercial rates above the **\$64.80** rate that was voted in on June 20, 2011, and later reduced to **\$47.80** in February 2012. The General Fund is already having financial problems without incurring more stormwater debt. Therefore, I am requesting the Council not to override my veto.

3) The motion to enter into the **U.S. ENVIRONMENTAL PROTECTION AGENCY AGREEMENT FOR THE Pearl Street Flooding Project**. I am vetoing this motion because the City's match for this grant is **\$1,098,200**. The Council voted to use CIP funds for the match. I stated my intentions to veto this action with the full knowledge that my veto would kill the **\$486,517** offered in the grant because of the October 19<sup>th</sup> deadline for submission. I requested that the Council reconsider and change the funding source to the Stormwater Utility. No one on the Council agreed to do so.

The Stormwater Utility is created to address projects like the flooding at Pearl Street and in the Sun Valley subdivision. Stormwater funds cannot be used to address any of the Water and Sewer Utilities projects such as building a water tower or dredging the Ben Hill Reservoir. Flooding projects along with other related stormwater run-off issues prompted the City to create a Stormwater Ordinance that is long overdue for passage. For these reasons, I am requesting the Council not to override my veto.

Respectfully,  
Earnestine D. Pittman  
Mayor

1. CONSIDERATION OF VETOED LEGISLATION - October 15<sup>th</sup> Council Meeting Agenda

**Presented by: City Council**

Council Member Rhodes made a motion to override the Mayor's veto on Ordinance to Amend Part 10, Chapter 2, Article B, Section 10-2044D Electric Fences with Council Member Hubbard providing the second. A roll call vote was taken. **The motion carried with Council Member Reed and Cook voting "no"**.

<b>RESULT:</b>	<b>APPROVED [6 TO 2]</b>
<b>MOVER:</b>	Lance Rhodes,
<b>SECONDER:</b>	Sharonda Hubbard, At Large
<b>AYES:</b>	Hubbard, Gothard, Langford, Rhodes, Slaughter-Gibbons, Martin
<b>NAYS:</b>	Marcel Reed, Myron Cook
<b>ABSTAIN:</b>	Earnestine Pittman, Seigfried Jones, Corliss Lawson, Agnes Goodwine

3. Motion to Override the Mayor's Veto #2 - Approval of 6 Year CIP Projects

Council Member Gothard made a motion to override the Mayor's veto for Year 6 CIP Projects with Council Member Rhodes providing the second. A roll call vote was taken. **The motion carried with Council Member Cook and Reed voting "no"**.

2. Motion to Override Veto #3 for U.S. ENVIRONMENTAL PROTECTION AGENCY AGREEMENT FOR THE Pearl Street Flooding Project

Council Member Rhodes made a motion to override the Mayor's veto for Pearl Street Flooding grant with Council Member Hubbard providing the second. **The motion carried with Council Member Cook voting "no"**.

**VII. COMMITTEE REPORTS:**

None.

**VIII. ADOPTION OF THE COUNCIL AGENDA:**

1. Motion to Adopt the Council Agenda

Council Member Cook made a motion to adopt the Council Agenda with one exception, removing addendum item #1 with Council Member Slaughter-Gibbons providing the second. **The motion carried unanimously.**

**IX. APPROVAL OF CITY COUNCIL MINUTES :**

1. City Council - Special Called Meeting - Oct 11, 2012 6:30 PM

Council Member Rhodes made a motion to adopt the Special Called Minutes of October 11, 2012 with Council Member Cook providing the second. **The motion carried unanimously.**

2. City Council - Regular Meeting - Oct 15, 2012 6:30 PM

Council Member Rhodes made a motion to adopt the city council minutes of October 15, 2012 with the necessary corrections under the resolution to reprimand the Mayor with Council Member Gothard providing the second. **The motion carried unanimously.**

3. City Council - Special Called Meeting - Oct 22, 2012 6:30 PM

Council Member Gothard made a motion to adopt the Special Called Minutes of October 22, 2012 with Council Member Cook providing the second. **The motion carried unanimously.**

4. City Council - Special Called Meeting - Oct 24, 2012 6:30 PM

Council Member Rhodes made a motion to adopt the Special Called Minutes of October 24, 2012 with Council Member Gothard providing the second. **The motion carried unanimously.**

5. City Council - Special Called Meeting - Oct 29, 2012 6:30 PM

Council Member Gothard made a motion to adopt the Special Called Minutes of October 29, 2012 with Council Member Martin providing the second. **The motion carried unanimously.**

**X. PUBLIC COMMENTS:**

*Chapter 2 – Section 2-2002(bb) – Rule 28 - The public may speak during the Public Comment section of the agenda. Speakers must complete a comment form prior to the start of the meeting. Subject may include any subject of choice. There will be a (3) three minute time limit for each speaker. Speakers that have signed up to speak may give all or part of their time up to (3) three minutes to another speaker for a total of (6) six minutes of speaking time. Speakers may address the council only once during this time of the agenda. Speakers must identify themselves and their address prior to speaking. Questions from the speakers may not be addressed during the public speaking section of the agenda. East Point residents will have priority over other speakers. There will be a total of not more than 60 minutes for the Public speaking section of the agenda. Speakers may only address the Presiding Officer. Speakers shall observe all rules of decorum. No debate, disrespect or obscenities shall be tolerated. The Presiding Officer shall rule any such individual out of order that fails to comply with the forgoing.*

**XI. CONSENT AGENDA ITEMS:**

None.

**XII. AGENDA ITEMS:**

1. Rezoning Application - Zoning Map Amendment Request 0 Washington Road (Former Washington-Carver Public Housing Complex)

**Presented by: Planning & Zoning**

Council Member Langford made a motion to deny the Rezoning Application with Council Member Gothard providing the second. **The motion carried with Council Member Rhodes voting "no".**

<b>RESULT:</b>	<b>APPROVED [7 TO 1]</b>
<b>MOVER:</b>	Patricia Langford, At Large
<b>SECONDER:</b>	Alexander Gothard,
<b>AYES:</b>	Hubbard, Gothard, Langford, Reed, Cook, Slaughter-Gibbons, Martin
<b>NAYS:</b>	Lance Rhodes
<b>ABSTAIN:</b>	Earnestine Pittman, Seigfried Jones, Corliss Lawson, Agnes Goodwine

2. Approval and Second Reading of a Stormwater Utility Ordinance

**Presented by: C.I.P. Alexander Gothard**

Council Member Gothard made a motion to move the item to the November Work Session with Council Member Slaughter-Gibbons providing the second.

After some discussion, Council Member Cook made a motion to approve the Stormwater Utility Ordinance with base option #3 and billing method #2 with Council Member Martin providing the second. **The motion failed with Council Member Gothard, Rhodes, Hubbard, Langford, Slaughter-Gibbons voting "no" and Council Member Cook, Martin, and Reed voting "Yes".**

Discussion on Rule 26: *Re-entertainment of motion.* After discussion Mayor Pittman called for a vote on the original motion made by Council Member Gothard to move the item to the November Work Session with Council Member Slaughter-Gibbons providing the second. **The motion carried unanimously.**

<b>RESULT:</b>	<b>MOVED [3 TO 5]</b>	<b>Next: 11/12/2012 6:30 PM</b>
<b>MOVER:</b>	Alexander Gothard, Myron Cook	
<b>SECONDER:</b>	LaTonya Martin,	
<b>AYES:</b>	Marcel Reed, Myron Cook, LaTonya Martin	
<b>NAYS:</b>	Hubbard, Gothard, Langford, Rhodes, Slaughter-Gibbons	
<b>ABSTAIN:</b>	Earnestine Pittman	

3. 2013 Livable Centers Initiative (LCI) Innovation Study Application Submittal

**Presented by: Planning & Zoning Finance**

Council Member Hubbard made a motion to move forward with the the LCI Innovation application with Council Member Slaughter-Gibbons providing the second. **The motion carried unanimously.**

<b>RESULT:</b>	<b>APPROVED [8 TO 0]</b>
<b>MOVER:</b>	Sharonda Hubbard, At Large
<b>SECONDER:</b>	Jacqueline Slaughter-Gibbons, At Large
<b>AYES:</b>	Hubbard, Gothard, Langford, Rhodes, Reed, Cook, Slaughter-Gibbons, Martin
<b>ABSTAIN:</b>	Earnestine Pittman

4. Ordinance for Electric Rates

**Presented by: Electrical Utilities Mayor Earnestine Pittman**

Council Member Gothard motion to have discussion on an Ordinance for Electric Rates with Council Member Langford providing the second. **The motion carried unanimously.**

Gene Parson, Interim Electric Department Director presented.

After some discussion, Council Member Langford made a motion to have a first reading on an ordinance for electric rates with Council Member Slaughter-Gibbons providing the second. **The motion carried unanimously.**

Council Member Langford asked about the impact of the subsidy on the citizens. City Attorney Lawson stated this ordinance codifies what has happened, therefore, it will help to explain to the residents what was in place even though it is no longer in place.

Council Member Langford made a motion to reconsider to have the first reading with Council Member Slaughter-Gibbons providing the second. **The motion carried with Council Member Rhodes and Hubbard voting "no".**

Mayor Pittman called for the original motion to have the first reading, **the motion failed unanimously.**

Council Member Langford motion to waive the first reading with Council Member Gibbons providing the second. **The motion passed unanimously.**

Council Member Langford motion to adopt the ordinance for electric rates with Council Member Cook providing the second. **The motion carried with Council Member Rhodes and Hubbard voting "no".**

<b>RESULT:</b>	<b>APPROVED [7 TO 2]</b>
<b>MOVER:</b>	Patricia Langford, At Large
<b>SECONDER:</b>	Myron Cook,
<b>AYES:</b>	Pittman, Gothard, Langford, Reed, Cook, Slaughter-Gibbons, Martin
<b>NAYS:</b>	Sharonda Hubbard, Lance Rhodes

5. Discussion on the Workforce Investment Act

**Presented by: City Council Mayor Earnestine Pittman**

Council Member Martin made a motion to have discussion on the Workforce Investment Act with Council Member Hubbard providing the second. **The motion carried unanimously.**

Council Member Martin made a motion to accept the Workforce Investment Act agreement with Council Member Slaughter-Gibbons providing the second. **The motion carried unanimously.**

<b>RESULT:</b>	<b>APPROVED [8 TO 0]</b>
<b>MOVER:</b>	LaTonya Martin,
<b>SECONDER:</b>	Jacqueline Slaughter-Gibbons, At Large
<b>AYES:</b>	Hubbard, Gothard, Langford, Rhodes, Reed, Cook, Slaughter-Gibbons, Martin
<b>ABSTAIN:</b>	Earnestine Pittman

**XIII. ADDENDUMS:**

1. Update on the Commercial Hauler for Waste Pick Up

**Presented by: City Council Public Works Myron Cook**

Item pulled during adoption of agenda.

<b>RESULT:</b>	<b>PULLED</b>
----------------	---------------

2. 2013 TAN Issuance

**Presented by: Finance**

Council Member Gothard made a motion to have discussion on the 2013 TAN Issuance with Council Member Cook providing the second. **The motion carried unanimously.**

Council Member Cook made a motion for the City Manager to direct the Finance Director prepare for a TAN issuance in January for a maximum of \$6.4 million with Council Member Langford providing the second. **The motion carried with Council Member Hubbard voting "no".**

<b>RESULT:</b>	<b>APPROVED [7 TO 1]</b>
<b>MOVER:</b>	Myron Cook,
<b>SECONDER:</b>	Patricia Langford, At Large
<b>AYES:</b>	Gothard, Langford, Rhodes, Reed, Cook, Slaughter-Gibbons, Martin
<b>NAYS:</b>	Sharonda Hubbard
<b>ABSTAIN:</b>	Earnestine Pittman

**XIV. COMMENTS FROM COUNCIL:**

Council Member Rhodes had no comments.

Council Member Hubbard had not comments.

Council Member Reed - Requested to keep the families of the Atlanta Police officers and also thanked resident Thomas Calloway for announcing the Prostate Cancer Awareness. Also reminded everyone of the Airport Town Hall meeting on Saturday will be held on Saturday, November 10th from 10am-12pm at the Jefferson Recreational Center.

Council Member Martin congratulated Robert Cleveland of East Point Georgia for receiving the Congressional Medal of Honor from the U.S. Marine Corps.

Council Member Gothard had no comments.

Council Member Langford encouraged everyone to vote tomorrow and also asked to keep the families of the two Atlanta police officers who lost their lives in prayers, storm Sandy victims and Charlotte Cagle, Chair of the East Point Pension Board, who is recuperating from surgery.

Council Member Cook spoke on his reason for sustaining the Mayor's vetos and stated for the record "our water treatment plant has a fence and is not electrify, when we find it necessary to have a city owned assets being protected by an electric fence, I don't have any problems doing every body else.

Council Member Slaughter-Gibbons had no comments.

Mayor Pittman spoke on Council to be better prepared for the city council meetings by reading the materials, better attendance at the meetings because the citizens deserve better.

**XV. ADJOURN COUNCIL MEETING:**

Council Member Rhodes made a motion to recess into executive session for five (5) personnel items ) motion carried unanimously. **The meeting recessed into Executive Session at 9:30p.m.**

**XVI. EXECUTIVE SESSION:**

Council Member Martin made a motion to reconvene back into regular session with Council Member Gothard providing the second. **The motion carried unanimously.**

Council Member Rhodes was absent, everyone else was present.



Council Member Hubbard made a motion for one (1) personnel matter to be referred out for legal evaluation for the next step and to use Attorney Ron Polley to handle with the motion failed due to a proper second.

Council Member Martin made a substitute motion to direct Attorney Ron Polley to contact David Munday of Jones Day and Associates to investigate two matters discussed at executive session with Council Member Gothard providing the second. **The motion carried with Council Member Hubbard voting "no".**

Council Member Hubbard made a motion for East Point to declare itself an absentee city and not continue litigation in the LOST with the other thirteen cities with Council Member Cook providing the second. **The motion carried unanimously.**

Council Member Hubbard made a motion to approve up to the amount discussed in executive session regarding the workman compensation settlement with the terms and conditions with Council Member Slaughter-Gibbons providing the second. **The motion carried unanimously.**

Council Member Gothard made a motion to appoint City Manager Candidate Reggie Taylor to the City Manager's position pending a background check and reference check with Council Member Langford providing the second. **The motion carried unanimously.**

Council Member Gothard made a motion to adjourn the meeting with Council Member Cook providing the second. **The motion carried unanimously. The meeting adjourned at 10:30p.m.**  
**WHEN AN EXECUTIVE SESSION IS REQUIRED, ONE WILL BE CALLED FOR THE FOLLOWING ISSUES: 1) PERSONNEL, 2) LITIGATION OR 3) REAL ESTATE**