

**CITY OF ELBERTON**  
**REGULAR MEETING OF THE ELBERTON MAYOR AND COUNCIL**

Monday, April 6, 2009 – 5:30 p.m.

Pursuant to due call and notice thereof Regular Meeting of the Mayor and Council convened at 5:30 p. m. on Monday, April 6, 2009 in Council Chambers of the Municipal Building, 203 Elbert Street with Mayor Guest presiding.

Present were: Council Members Butler, Colquitt, Hunt, Seymour, and Paul; City Attorney Phelps, and City Manager Dunn.

Mayor Guest called the meeting to order. Mayor Pro tempore Paul led the assembly in the Pledge of Allegiance and Council Member Hunt led the assembly in prayer.

Mayor Pro tempore Paul motioned to approve the minutes of the March 2, 2009 Regular Meeting as submitted, seconded by Council Member Hunt and the motion passed unanimously.

Reports. Controller Kevin Eavenson presented the Financial Report through February 2009 with the following net assets:

General Fund	\$ 4.1 million
Combined Utilities Fund	\$ 18.7 million
Elberton Technology Services Fund	\$ 1.9 million net loss
Solid Waste Fund	\$ 248,590
Unrestricted Investments-General Fund and Utility Fund	\$ 2.54 million
Restricted Investments (SPLOST & Utility Funds)	\$ 553,358

Ms. Joyce Davis spoke to council on behalf of the Visual Arts Council of Elberton and Elbert County (VAC). She presented a proposal for approval to use the old Health Department Building located on West Church Street as an art museum. She stated that she has already presented the proposal to the Elbert County Board of Commissioners.

Rev. John Barnett spoke to council on behalf of the Elberton Ministerial Alliance and the Coalition of Progress. He stated that he was working with Main Street Elberton in hosting the Granite City BBQ Cook-off to be held on September 12, 2009 downtown.

Council Member Seymour placed Ordinance 2155 on Second Reading with a heading as follows:

**ORDINANCE 2155**

**AN ORDINANCE ANNEXING THE PROPERTY LOCATED AT 1351 FAIRWAY DRIVE, 1355 FAIRWAY DRIVE, 1123 GOLF COURSE ROAD, LOT 24 & 25 FAIRWAY DRIVE, 1123 GOLF COURSE ROAD, AND 1400 CHANTICLEER DRIVE PURSUANT TO THAT CERTAIN ACT (GEORGIA LAW. 1962, P. 119) AUTHORIZING SAME UPON WRITTEN AND SIGNED APPLICATION OF THE PROPERTY OWNERS OF SAID LAND; AND FOR OTHER PURPOSES.**

Council Member Seymour motioned to waive the formal reading of the Ordinance, seconded by Mayor Pro tempore Paul and the motion passed unanimously. The Ordinance was read in its entirety at the March 2, 2009 meeting. Mayor Pro tempore Paul motioned to adopt the Ordinance as submitted, seconded by Council Member Seymour and the motion passed unanimously.

Council Member Hunt placed Ordinance 2156 on First Reading with a heading as follows:

**ORDINANCE 2156**

**AN ORDINANCE DEANNEXING THE PROPERTY LOCATED AT 310 MILLER DRIVE PURSUANT TO (O.C.G.A. 36-36-22) AUTHORIZING SAME UPON WRITTEN AND SIGNED APPLICATION OF THE PROPERTY OWNER OF SAID LAND; AND FOR OTHER PURPOSES.**

The Ordinance was read in its entirety.

As privilege of the chair, Mayor Guest added a Resolution to be considered by Council to the agenda. Council Member Butler introduced the following Resolution:

**RESOLUTION  
OF THE CITY OF ELBERTON**

**WHEREAS:** There currently exists a vacancy on the Elberton Downtown Development Authority (DDA) board of directors due to the resignation of Bob Hardy; and

**WHEREAS:** O.C.G.A. Section 36-42-6 allows the governing body of the municipal corporation to appoint directors of the DDA by resolution; and

**WHEREAS:** The Mayor and five Council Members of the City of Elberton constitute the governing body pursuant to that state law O.C.G.A. Section 36-42-3; and

**WHEREAS:** The Mayor respectfully submits to the Council the name of Mr. Stan Brown to be considered for the position of a director of the DDA; and

**WHEREAS:** Mr. Stan Brown meets the qualifications of being a director of the Elberton DDA in that certain state law O.C.G.A. Section 36-42-7, being that Mr. Brown is (a) a resident of the municipal corporation, and (b) an owner and operator of a business located within the downtown development area; and (c) a person who has an economic interest in the redevelopment and revitalization of the downtown development area.

**NOW, THEREFORE,** the Mayor and Council of the City of Elberton hereby appoint Stan Brown to the position of director of the Elberton DDA to an unexpired term that ends on June 30, 2011.

The Resolution was read in its entirety. Council Member Butler motioned to adopt the Resolution as read, seconded by Council Member Hunt. During discussion, Council Member Seymour asked that Council Member and DDA Board Member Butler report on the activities and notification of what board members terms are coming up in the near future. The Resolution passed unanimously.

Mayor Guest removed item 6(a) from the consent agenda. Council Member Butler asked to remove item 5(a) from the agenda since council approved it last month. Council Member Colquitt motioned to approve the consent agenda as amended, seconded by Council Member Butler and the motion passed unanimously.

1. Approved the dues, travel and training for all city departments.

**City Clerk**

Cindy Churney  
Elections Certification Course  
Atlanta, GA  
June 9-11  
Registration: None  
Travel/Lodging: \$420.00

**Finance**

Kevin Eavenson  
Elections Certification Course  
Atlanta, GA  
June 9-11  
Registration: None  
Travel/Lodging: \$420.00

**Police**

Nancy Littleton  
Clerk's Training  
Tifton, GA  
June 16 - 17  
Registration: \$150.00  
Travel/Lodging: \$250.00

**Utilities – Water/Sewer**

Patrick Killacky  
Activated Sludge Process  
Optimization  
Athens, GA  
March 23-25  
Registration: \$ 265.00  
Travel/Lodging: \$ 340.00

Harold Hagood  
GAWP 2009 Spring Conference  
Macon, GA  
April 14-15  
Registration: \$ 175.00  
Travel/Lodging: \$ 307.52

**Natural Gas**

Charles Truitt/Chance Webb  
Pipeline Safety Seminar  
Macon, GA  
April 14-15  
Registration: \$ 200.00  
Travel/Lodging: \$ 428.00

2. Accepted the minutes and decisions of the Elberton Historic Preservation Commission of March 17, 2009.
3. Authorized the City Manager and/or City Clerk to execute the property and liability insurance annual policy renewal with Travelers.
4. Authorized the Mayor and/or City Manager to execute the necessary documents with Rushton & Company for FY2009 audit services. The fee is the same as the prior year, \$36,900.
5. Authorized the closing of portions of downtown to vehicular traffic as follows as recommended by the Main Street Promotions Committee:
  - a. *McIntosh Street on April 24, 2009 at 3 p.m. for the Jim-Ree Gary Motley Jazz Concert. Item was removed due to approval from council last month.*
  - b. A portion of N. McIntosh Street on May 15, 2009 at 1 p.m. for the Modern Skirts Concert.
  - c. Church Street beginning at the stop sign at Forest Avenue stopping at the traffic light at N. Oliver Street on May 22, 2009 at 8 p.m. until 9:30 p.m. for the graduation ceremony.
  - d. The entire square (leaving McIntosh Street open) on July 11, 2009 at 3 p.m. for the Annual Classic Car Show and Cruise-In.
  - e. The entire square (leaving McIntosh Street open) on September 12, 2009 at 9 a.m. for the Granite City BBQ Cook Off.
6. Concurred with the Mayor's appointments as follows:
  - a. *Stan Brown to the Downtown Development Authority to fill an unexpired term. Removed and introduced as a Resolution.*
  - b. David Myers to the Housing Authority to fill an unexpired term.
  - c. Pam Allen to the Elberton Planning Commission to fill an unexpired term.

Other Matters to be considered by Council. Council discussed the specifications for the police car bid packet.

City Manager Dunn presented the following reports to Council:

- Expenditures reportable under Section 2-173 and Section 2-177.
- Stimulus Package submitted to the State. Council Member Butler motioned to authorize the City Manager to execute the necessary documents to apply for the Hiring Grant for two police officers for a three year 100% grant period with a one year retention clause, seconded by Council Member Hunt and the motion passed unanimously.
- The ElbertonNET expansion project for the Washington Hwy has started. Hart EMC has begun the make-ready work, and our in-house construction will begin next Monday.
- Pilgrim's Pride Circuit poles have been set, wire to be pulled next, we will be in the position waiting for the new circuit to be installed in the substation by MEAG Power
- Conversion project on Forest Avenue section is basically complete. Forest Hills Road and Oak Drive sections are on-going.

- Police Department open house is scheduled for April 23.
- City Manager will be on vacation during the week of April 20.
- GOHS meeting will be April 17 at the Elberton Civic Center at 7:00 pm.
- CDL driver needed for large truck currently pulls leaf vacuum and limb chipper. Propos replacing it with smaller truck that can pull chipper without CDL certification. A CDL driver will still be needed to operate the street sweeper and leaf vacuum due to weight requirements. Mayor Pro tempore Paul motioned to authorize the purchase of a 2007 Ford 450XL from Jacky Jones Ford, seconded by Council Member Butler and the motion passed unanimously.
- Monthly reports and activities of the various departments.

There being no further business to come before Council, upon proper motion and second the meeting was adjourned.

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Mayor

ATTEST:

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City Clerk