

CITY OF ELBERTON
REGULAR MEETING OF THE ELBERTON MAYOR AND COUNCIL

Monday, August 3, 2009 – 5:30 p.m.

Pursuant to due call and notice thereof the Regular Meeting of the Mayor and Council of the City of Elberton convened at 5:30 p.m. on Monday, August 3, 2009, in the council chambers of the Municipal Building, 203 Elbert Street with Mayor Guest presiding.

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

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

Mayor Guest welcomed the Elbert County Little League 10-11 year old All-Star Baseball Team to the meeting. The team won the Georgia State Championship on July 24, 2009 in Cartersville, Georgia. Mayor Guest read a Proclamation and presented each team member with a signed copy of the Proclamation along with a city lapel pin. Through the teamwork of Tanner Mills, Jamarcus Allen, Cross York, Branson Harris, Austin Mack, Hunter Martin, Levi Baxter, Bryce Bowen, Montavious Tinch, Tra Barnett, John Cureton, Manager Jeff Bowen, and Coaches Russ Harris, Johnny Cureton and Ryan Mills brought Elbert County to victory.

Council considered the minutes from the July 2, Work Session and July 9, Regular Meeting. Council Member Butler asked that the word on page 2 of the July 2 Work Session Minutes be changed from “investment” to “industry”. Council Member Butler motioned to approve the minutes, seconded by Council Member Hunt and the motion passed unanimously.

Reports. Controller Kevin Eavenson presented the Financial Report through June 30 2009 with the following net assets:

General Fund	\$ 4.4 million
Combined Utilities Fund	\$ 19.4 million
Elberton Technology Services Fund	\$ 1.8 million net loss
Solid Waste Fund	\$ 221,605
Unrestricted Investments-General Fund and Utility Fund	\$ 2.4 million
Restricted Investments (SPLOST & Utility Funds)	\$ 661,244

Speakers from the floor.

- Mrs. Sandra Brown, Chairperson updated Council on the activities of the Elbert County Chamber of Commerce. She thanked the City for their longstanding commitment to the Chamber through the allocation of Hotel/Motel tax money for tourism purposes. Mayor Guest thanked the Chamber for their efforts.
- Mr. J. P. Hughes of Hughes Boys Entertainment expressed his concerns which took place during their recent car and bike show at the Elberton Fairgrounds the same day as Main Street Elberton's car show downtown. He stated that they felt that they had been harassed by the Elberton Police Department on numerous occasions during the event. He asked that Council look into the accusations. City Manager Dunn stated that he would.
- Mrs. Jacqueline Hamm was scheduled to speak with regard to a request to de-annex her property located at 310 Miller Drive. She was not present at the meeting.

Council Member Seymour placed Ordinance 2157 on second reading as follows:

ORDINANCE 2157

AN ORDINANCE ANNEXING THE PROPERTIES LOCATED AT 1323 FAIRWAY DRIVE AND 1348 FAIRWAY 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 reading of the Ordinance, seconded by Mayor Pro tempore Paul and the motion to waive passed unanimously. City Manager Dunn read the heading of the Ordinance. Council Member Seymour motioned to adopt the Ordinance as presented, seconded by Council Member Colquitt and the motion to adopt passed unanimously.

Mayor Pro tempore Paul placed Ordinance 2158 on first reading as follows:

ORDINANCE 2158

AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING ORDINANCE OF SECTION 22, LAND USE; PERTAINING TO PERSONAL CARE HOMES AS AUTHORIZED BY AN ACT OF THE GENERAL ASSEMBLY OF GEORIGIA (GEORGIA LAW, 1957, PAGES 420-443); AND FOR OTHER PURPOSES.

City Manager Dunn read the Ordinance in its entirety.

Council Member Butler introduced the following Resolution for first reading:

RESOLUTION

WHEREAS: A certain Parcel of land consisting of 3,250 square feet, more or less, located adjacent to the Elberton Recycling Center, part of Elbert County Tax Map E18, Parcel 118 (attachment "A"), is no longer of any value to the City of Elberton; and

WHEREAS: Said property is more particularly described as follows: Point of beginning where Elbert County Tax Map E-18, Parcel 118, intersects with Elbert County Tax Map E18, Parcel 118A, and Tribble Street; thence in a southeasterly direction along the boundary lines of parcels 118 and 118A for a distance of 130.01 feet, more or less to the rights-of-way of Martin Luther King, Jr. Blvd; thence in a southwesterly direction along the rights-of-way for a distance of 25 feet; thence in a northwesterly direction for a distance of 140 feet, more or less to the eastern rights-of-way of Tribble Street; thence in a northeasterly direction along the rights-of-way for a distance 25 feet to the point of beginning.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the City of Elberton that the above property, described further as a part of Elbert County Tax Map E18, Parcel 118, and being of no further value to the City be declared as surplus property.

BE IT FURTHER RESOLVED that the City shall solicit sealed bids for the purchase of this property with the minimum bid amount being \$3,859, and that the purchaser shall pay all legal and survey costs to effect the sale.

City Manager Dunn read the Resolution in its entirety and stated that it would require two readings.

Council Member Butler motioned to approve the consent agenda as submitted, seconded by Council Member Hunt and the motion passed unanimously.

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

Police Department

Jimmy Justice

Officers Response to Domestic Violence Forsyth, GA 40 hours

September 14-18, 2009

Registration: None

Travel/Lodging: \$395.00

2. Approved the expenditures that exceed the City Manager’s purchasing authority.

27 Rebuilt DUEL VOLTAGE Transformers

10-15 kva, 16-25 kva, and 1-50 kva Dual Voltage transformers, 2400 to 7200 voltage. For the conversion projects in FY10 (South McIntosh and West. Church)

Bidder	Total Bid Price	
Solomon Corporation	\$18,540.00	Recommended
Southeastern Transformer	No bid	No Stock at this time.

Dual voltage transformers are a “special/irregular” order due to their obsolescence. Cannot buy new, only rebuilds. Rebuilds do carry a 3 year warranty where new transformers have only a 1 year warranty.

3. Authorized the closing of a portion of N. McIntosh Street to vehicular traffic on August 14 at 1 p.m. for the Modern Skirts Concert sponsored by Main Street Elberton Promotions Committee.
4. Authorized the closing of a portion of the street for the Homecoming Parade on September 10 at 7 p.m. beginning at the Church Street side of the Granite Bowl and proceeding east on Church Street to Tusten Street, then North on Tusten Street to Heard Street, then West on Heard Street to the Square and then disband at Sander’s Furniture. The Pep Rally will be held at the fountain end of the Square on a flat bed trailer. Roads need to be closed at 6:50 p.m. and the fountain area by 7 p.m.
5. Accepted the minutes and decisions of the Elberton Historic Preservation Commission meeting of July 21, 2009.

City Manager Dunn presented the following reports to Council:

- Monthly reports and activities of the various departments.
- Report on expenditures reportable under Sec. 2-173 and Sec. 2-177.
- Regions Bank Bounce protection line of credit renewal. Council Member Colquitt motioned to execute the necessary documents to renew the bounce protection line of credit with Regions Bank that matures on September 1, 2009, seconded by Council Member Butler and the motion passed unanimously. City Manager Dunn stated that there was no fee unless the line of credit was used.

Matters to be considered by Council:

- Council Member Hunt asked City Manager Dunn to look in to the accusations by Mr. Hughes with regard to the Elberton Police Department. City Manager Dunn concurred. Council Member Butler recommended reporting findings at

the next Public Safety Committee meeting. Council Member Colquitt recommended having someone who is impartial to investigate the accusations.

- Council Member Seymour recommended preparing a Resolution of Support to Elbert County for the County-wide water system.
- Mayor Guest asked Council Members if they planned to participate in the Granite City Cook-off as a team. Council Members Paul, Colquitt, Hunt and Butler plan to participate.
- Mayor Guest also reported on the meeting with the Development Authority and officials. He stated that the Authority was very receptive to discussions with regard to officials being on the Authority Board. Council Member Paul expressed concerns that by appointing elected officials to the IDA, it would bring politics into the mix.
- Mayor Guest stated that they had also discussed the request from the Development Authority for \$12,550 for GRAD certification from Elberton, Elbert County and Bowman. Representatives from all three organizations recommended paying their normal percentage split to fund the GRAD certification. Council Member Seymour motioned to assist in funding the GRAD certification through the pro-rata percentage breakdown provided Elbert County and Bowman do the same, seconded by Council Member Hunt and the motion passed unanimously.
- Council Member Hunt asked if the City had received any correspondence from Pilgrim's Pride about their Athens plant closing. City Manager Dunn stated that they had not, but that Anna Grant Jones from the Development Authority was in contact with the company on behalf of the community.

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

Mayor

ATTEST:

City Clerk