

December 1, 2008 Regular Meeting

December 15, 2008 Called Meeting

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

Monday, December 1, 2008 - 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, December 1, 2008, 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 meeting to order. Mayor Pro tempore Colquitt led in the Pledge of Allegiance and Council Member Paul led in the prayer.

Mayor Guest thanked Council Member Hunt for organizing the Thanksgiving dinner at the Blackwell Cultural Center. The Coalition of Progress fed 150 residents on Thanksgiving. All Council Members were in attendance at the event. Mayor Guest read a letter from Mrs. Estelle Colquitt who was in attendance at the dinner. She expressed her appreciation for the worthwhile event. Mayor Guest recognized the Granite City Crushers for their ISA girls 10 and under receiving the Championship in softball.

Council Member Butler motioned to approve the minutes of the November 3, 2008 meeting as submitted, seconded by Mayor Pro tempore Colquitt and the motion passed unanimously.

Reports. Controller Kevin Eavenson presented the Financial Report through October 2008 with the following net assets:

General Fund	\$ 3.9 million
Utility Fund	\$ 19 million
Elberton Technology Services Fund	\$ 1.9 million net loss
Solid Waste Fund	\$ 288,228
Unrestricted Investments-General Fund and Utility Fund	\$ 2.69 million
Restricted Investments (SPLOST & Utility Funds)	\$ 1.20 million

Police Chief Mark Welsh reported on the increase in crime.

Mr. Tom Robinson requested to speak to Council with regard to the proposed annexation of Petersburg Towers. Council Member Seymour motioned to hear Mr. Robinson, seconded by Council Member Hunt and the vote passed unanimously.

December 1, 2008 Regular Meeting

December 15, 2008 Called Meeting

Council Member Seymour placed Ordinance 2153 on Second Reading:

### **ORDINANCE 2153**

**AN ORDINANCE ANNEXING THE PROPERTY LOCATED AT 1050 PETERSBURG ROAD, 1048 PETERSBURG ROAD, 1150 PETERSBURG ROAD AND 1054 COUNTRY MANOR LANE 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, seconded by Council Member Hunt and the vote passed unanimously. The Ordinance was read in its entirety at the November meeting. Council Member Seymour motioned to adopt the Ordinance as submitted, seconded by Council Member Hunt. During discussion, Council Member Colquitt recommended that the annexations be placed in Ward 1 rather than Ward 5 due to the variation in population in the Wards. City Attorney Phelps stated that after the 2010 census redistricting may be necessary due to the population variation. The primary motive for annexation by the petitioners is for fire and police protection. The annexation would be a break even due to the city services. The motion passed with four (Seymour, Hunt, Paul, Butler) voting for the motion and one (Colquitt) voting against.

Council Member Paul placed Ordinance 2154 on First Reading:

### **ORDINANCE 2154**

**AN ORDINANCE BY THE CITY OF ELBERTON TO AMEND THE CODE OF ORDINANCES OF ELBERTON, GEORGIA TO ESTABLISH DUE COMPENSATION APPLICABLE TO ANY TELEGRAPH OR TELEPHONE COMPANY CHARTERED BY THE LAWS OF THIS OR ANY OTHER STATE BY ADOPTING A NEW ARTICLE TO SECTION 10; TO PROVIDE FOR CODIFICATION; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

The Ordinance was read in its entirety.

Mayor Guest asked if there were any items to be removed from the consent agenda to be discussed further. Council Member Seymour asked to remove item 3 from the consent agenda. Council Member Paul motioned to approve the consent agenda as amended, seconded by Council Member Butler and the motion passed unanimously.

Council considered amending the construction plan to include the Washington Highway area. Council Member Seymour motioned to change the ElbertonNET expansion project area from the Bowman Highway to the Washington Highway, seconded by Council Member Butler and the motion passed unanimously.

December 1, 2008 Regular Meeting

December 15, 2008 Called Meeting

1. Approved expenditures that exceed the city manager’s purchasing authority as follows:

**Public Works**

Installation of roadway signs, roadway striping, and stop bars on various city streets.

*100% Grant funded by GDOT Off-System Safety Project*

- o Parker Traffic Markings, Cleveland, GA Recommended \$72,142.95
- o Mid State Construction & Striping, Perry, GA \$74,503.25
- o Peek Pavement Marking, Columbus, GA \$72,472.25
- o Mid State Striping, Eatonton, GA \$73,776.00

*(recommendation based on low bid and review by the GA Department of Transportation)*

2. Approved dues, travel and training for all city departments as follows:

**Natural Gas**

Jared Whiting

Piedmont Technical College Welding Certification

*(3 quarters, 202 total hours)*

Greenwood, SC

January 20, 2008

Registration: \$2,233.33/quarter

Travel/Lodging: None

3. Authorized the Mayor and/or City Manager to execute a renewal contract with Northern Judicial Circuit Probation Service for Municipal Court service in calendar year 2009 (pricing is the same as 2008).
4. Approved the issuance of Alcoholic Beverage Licenses for the calendar year 2009 as follows:

<b>BUSINESS NAME</b>	
1 Bi-Lo 291	13 Golden Pantry #36
2 BP Shop	14 Josh & Joel's Minit Mart
3 BPO Elks Elberton GA Lodge 1100	15 JuJu's Bar & Grill
4 Circle K Store 2071	17 Kenny's Korner Store
5 Donna & Debra Enterprises, LLC	18 La Fogata
6 Edwards Package Store, Inc.	19 One Stop Food Mart
7 Elberton BP	20 Richard's Restaurant
8 Elberton Country Club, Inc.	21 Sidestreet Steaks & Italian
9 Elberton Moose Lodge #1099	22 Super Gas
10 Elberton Package dba Shakti Corp	23 VFW Post 5456
11 Elberton Shell, LLC, dba Shell Food Store	25 Wal-Mart Store #1701
12 Exxon Tiger Mart (ZABB, LLC)	26 West Elbert Package
	27 Whitney's Café

December 1, 2008 Regular Meeting

December 15, 2008 Called Meeting

5. Concurred with the Mayor and Council's re-appointment of Charlotte Carter, Mel Stovall and Jacqueline Cole to the Elberton Historic Preservation Commission.
6. Concurred with the Mayor and Council's re-appointment of Jim Stovall and Mac Geter to the Elberton Planning Commission.
7. Concurred with the Mayor and Council's re-appointment of Barbara Hammond and Alesia Geter to the Elberton Tree Board.
8. Concurred with the Mayor and Council's re-appointment of Kirby Tyler to the Elbert County Library Board.
9. Concurred with the Mayor and Council's re-appointment of Walton Howell, Niles Poole and Evelyn Thornton to the 2009 Tax Assessor Board for the City of Elberton.
10. Approved the closing of a portion of the street for the Annual Christmas Parade on Thursday, December 4, 2008 at 6:30 p.m. The parade will stage at 5:45 pm at the intersection of Elbert Street and Parkwood Drive. Parade will begin at 6:30 p.m. at the Heard Street intersection and proceed west on Elbert Street to Oliver Street where it will turn south on South Oliver Street to the Public Square. It will then turn left onto the north side of the Public Square and proceed east to Heard Street where it will continue east to Kimbrell's Furniture where the parade will end and disband. *(sponsored by the Kiwanis Club of Elberton)*.
11. Approved the closing of a portion of the street for the 6<sup>th</sup> Annual Twilight Stroll to the Granite Bowl, 5K Road Race on Friday, January 9, 2008 at 9:00 a.m. The event will start on Church Street at the First Baptist Church and proceed west to Forest Avenue. Turning right onto Forest Avenue north to College Avenue; turning right going east on College Avenue to the Heard Street intersection, runners will then turn right and proceed west on Heard Street to the downtown square, and proceed counter-clockwise around the square and back onto Heard Street. Runners will then proceed to Tusten Street where they will turn right and go south on Tusten Street to Church Street, then turn right and proceed west on Church Street to the Elbert Theatre where the race will conclude. *(sponsored by the Elbert County Chamber of Commerce)*.
12. Accepted the minutes and decisions of the Regular Meeting of the Elberton Historic Preservation Commission of November 18, 2008.
13. Authorized the City Manager to execute a joint use pole agreement with Hart Electric Membership Corporation for ElbertonNET attachments.
14. Authorized the City Manager to execute a joint use pole agreement with

December 1, 2008 Regular Meeting

December 15, 2008 Called Meeting

Comcast for telecommunications attachments.

Item #3. Council Member Seymour recommended considering consolidated the probation service with Elbert County. Council agreed that this would be something to discuss further at the retreat next year. Council Member Butler motioned to approve the contract as submitted, seconded by Council Member Seymour and the motion passed unanimously.

City Manager Dunn presented the following reports to Council:

- City Manager Dunn reported on the progress of the on-going projects. Police building, sewer line replacement, water system SCADA project, natural gas PVC replacement project, electric conversion on Gordon Street and the W. O. Jones building.
- City Manager Dunn reported that a committee was reviewing the bids for the telephone system.
- City Manager Dunn reported that he would be attending a heavy equipment auction in Villa Rica next week.
- City Manager Dunn reported that the black coating on two of the panels on the front of the theatre is peeling away, probably due to the sun. One vender has looked at the panel to see if the panel can be removed and the coating replaced. We'll know more later this month.
- City Manager Dunn reported that Burke Walker with the RDC is assisting in submitting properties to be included on the National Register of Historic Places.
- City Manager Dunn reported that the Main Street Manager Julie LeNeave will be leaving the City of Elberton December 5. She has had a very successful tenure as Elberton's Main Street Manager.
- Monthly reports and activities of the various departments.

There were no matters to be presented by the City Attorney.

Any other matters to be considered by Council. Mayor Pro tempore Colquitt committed again with regard to the varied numbers in ward population. City Attorney Phelps stated that Council may need to consider going to Atlanta to meet with the reapportionment committee after the 2010 census. Council Members Seymour and Butler updated Council on the Utilities Committee meeting. City Manager Dunn stated that the Audit Committee would be meeting in December. Council Member Hunt thanked everyone for attending the Thanksgiving dinner.

Council Member Seymour motioned to adjourn into executive session to discuss personnel, seconded by Mayor Pro tempore Colquitt and the motion passed unanimously. Council Member Seymour motioned to move out of executive session, with Council Member Hunt seconding the motion. Mayor Guest reported that no action was taken at this time.

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

December 1, 2008 Regular Meeting

December 15, 2008 Called Meeting

**CALLED MEETING OF THE ELBERTON CITY COUNCIL**  
**Monday, December 15, 2008 – 5:00 p.m.**

Pursuant to due call and notice thereof the Called Meeting of the Mayor and Council convened at 5:00 p. m. on Monday, December 15, 2008 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.

A notice of called meeting was issued in accordance with law for the purpose of discussing a personnel evaluation and any other matters that may properly come before Council. Mayor Guest called the meeting to order. Mayor Pro tempore Colquitt led the assembly in the Pledge of Allegiance and City Attorney Phelps led the assembly in prayer.

Mayor Guest asked to move into executive session. Mayor Pro tempore Colquitt made the motion to close the called meeting and move into executive session, as allowed by O.C.G.A. Section 50-14-2 to discuss personnel. Council Member Hunt seconded the motion to close and enter into executive session. At this time, City Manager Dunn was excused from the discussion. Council Member Paul left during Executive Session to attend a prior commitment. Council Member Hunt motioned to move out of executive session, with Mayor Pro tempore Colquitt seconding the motion and the motion passed unanimously (4-0). City Manager Dunn returned to the meeting. Mayor Guest reported that no action was taken at this time.

Under any other matters that may properly come before Council. City Manager Dunn presented an amendment to the FY2009 budget. Council Member Hunt motioned to approve the amendment to the FY2009 budget as submitted, seconded by Mayor Pro tempore Colquitt and the motion passed unanimously.

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