

CITY OF ELBERTON
REGULAR MEETING OF THE ELBERTON MAYOR AND COUNCIL

Monday, March 2, 2009 – 5:30 p.m.

Pursuant to due call and notice thereof the Organizational and Regular Meeting of the Mayor and Council convened at 5:30 p. m. on Monday, March 2, 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, City Manager Dunn and City Clerk Churney.

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

Council Member Butler motioned to approve the minutes of the February 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 January 2009 with the following net assets:

General Fund	\$ 4.1 million
Combined Utilities Fund	\$ 18.4 million
Elberton Technology Services Fund	\$ 1.9 million net loss
Solid Waste Fund	\$ 250,668
Unrestricted Investments-General Fund and Utility Fund	\$ 2 million
Restricted Investments (SPLOST & Utility Funds)	\$ 1.1 million

Mr. Rick Prince, Chairman of the Elbert County Chamber of Commerce, reported on the activities of the Chamber for 2008. He also 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.

Mayor Guest welcomed Mr. Tom Brown, CEO of Elbert Memorial Hospital, who was present at the meeting.

Council Member Hunt introduced the following Resolution:

RESOLUTION

WHEREAS: There will be a Municipal General Election held on November 3, 2009 to elect a Mayor and Council Member each from Ward One, Four and Five; and

WHEREAS: The Official Code of Georgia, annotated, requires the Mayor and Council to set a qualifying fee that shall be three percent (3%) of the total compensation received by the officials in the preceding calendar year, which is \$356.64 for Mayor and \$266.64 for Council Member; and

WHEREAS: The Georgia State Election Board, Sections 21-2-380.1, instructs the governing authority of each municipality to appoint and certify the appointment of an Election Superintendent/Absentee Ballot Clerk to the Secretary of State's Office; and

WHEREAS: The governing authority shall designate the City Clerk as Election Superintendent/Absentee Ballot Clerk; and

NOW, THEREFORE BE IT RESOLVED, and it is hereby resolved that the Mayor and Council of the City of Elberton do hereby issue a call for a Municipal General Election to be held on November 3, 2009, which will be conducted under the Georgia Code as amended.

BE IT FURTHER RESOLVED by the Mayor and Council of the City of Elberton do hereby adopt the qualifying fee and the appointment of the Elections Superintendent/Absentee Ballot Clerk as stated above as required by the Georgia State Election Board.

Adopted the 2nd day of March, 2009.

The Resolution was read in its entirety. Council Member Hunt motioned to adopt the Resolution as read, seconded by Council Member Seymour and the motion passed unanimously.

Council Member Seymour placed Ordinance 2155 on First 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.

Consideration of contract with the Georgia Municipal Association (GMA) for Hotel-Motel Tax Audit. City Manager Dunn stated that the audit was included in the FY2009 budget for \$4,000. Mayor Pro tempore Paul motioned to authorize the execution of the necessary documents with GMA for a Hotel-Motel Tax Audit, seconded by Council Member Seymour and the motion passed unanimously.

Mayor Guest asked if there were any items to be removed from the consent agenda to be discussed further. Council Member Colquitt asked to remove item 2 and Council Member Seymour asked to remove item 5 from the consent agenda. Council Member Butler motioned to approve the consent agenda as amended, seconded by Mayor Pro tempore Paul and the motion passed unanimously.

1. Approval of expenditures that exceed the City Manager's purchasing authority.

Water/Sewer

Elbert Street Gravity Sewer Rehabilitation

o Insituform	Recommended	\$26,931.00
o Southeast Pipe Survey		\$36,460.00
o Reynolds InLiner, LLC		\$47,500.00

(Recommendation based on low bidder meeting specifications)

ElbertonNET

Material for Washington Hwy expansion approved 12/01/2008
Gainmaker Amps (quantity 25) and LE's (quantity 19)

Adams Global Communications	Recommended	\$19,214.12
CCI Distribution		\$21,139.11
Tulsat		\$24,061.05

(Recommendation based on low bid)

ElbertonNET

Material for Washington Hwy expansion approved 12/01/2008
47,000 feet Coaxial Cable; .700 plain jacketed.

Times Fiber Communications	Recommended	\$31,913.00
TVC Communications		\$40,890.00

(Recommendation based on low bid)

3. For the record, the U.S. Department of Justice has accepted the annexations of 1050 Petersburg Road, 1048 Petersburg Road, 1150 Petersburg Road and 1054 Country Manor Lane as described in Ordinance 2153 into the Corporate Limits of the City of Elberton.

4. Authorized the closing of a portion of N. McIntosh Street to vehicular traffic on April 24, 2009 at 1 p.m. for the Jim-Ree African Museum and Main Street Elberton Promotions Committee for a free Jazz Concert.
6. Authorized the Mayor, City Manager, and City Clerk to execute the necessary documents with the Georgia Department of Transportation for the Off-System Safety Improvement Project on the north side of Elberton in the amount of \$79,000.
7. Authorized the Mayor and City Manager to execute an agreement with Elbert County for participation in the First Responder Program.

Council Member Colquitt removed consent item 2 for further discussion. Council Member Colquitt discussed the training submitted for approval. He stated that council and staff should be looking ahead at the economic forecast and limiting expenses to only the required training. Mayor Pro tempore Paul motioned to approve item 2 as presented below, seconded by Council Member Seymour and the motion passed unanimously.

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

Council

Joel Seymour
Business Diplomacy and Protocol
Valdosta, GA
April 1, 2009
Registration: 210.00
Travel/Lodging: \$112.00

Daniel Brogdon
Governors Office of Highway Safety
GA Traffic Injury Prevention
Institute
4-Day Child Passenger Safety
Technician
April 21-24, 2009
Conyers, GA
Registration: \$60.00
Travel/Lodging: \$510.00

Police

Daniel White
Breath Alcohol Training
Recertification
Regional Police Academy
Augusta, GA
March 5, 2009
No Cost

Daniel Brogdon & Jason Bagwell
I.P.M.B.A. Police Cyclist Course
Gwinnett County Police Dept
Lawrenceville, GA
April 13-17, 2009
Registration: None
Travel/Lodging: \$775.00

Utilities

Butch Lewis, Haley Fortson
David Hudson, Charles Truitt
Allen Hulme, Byron Stovall
Terry Anderson, Sam Propes
Ron Ethridge
GA Erosion Control recertification
Elberton, GA (City Hall)
March 25, 2009
Registration: \$540.00
Travel/Lodging: None

Council Member Seymour removed consent item 5 for further discussion. Council Member Seymour recommended sending letters and/or publishing an announcement with regard to the projects beginning and ending dates. Mayor Pro tempore Paul motioned to approve item 5 as presented below, seconded by Council Member Seymour and the motion passed unanimously.

5. Authorized the City Manager to execute the necessary documents with Precision Planning, Inc. for the Lake Forest Drive/Arnold Street Gravity Sewer Replacement Project in the amount of \$36,760. This is the next SPLOST sewer replacement project.

City Manager Dunn presented the following reports to Council:

- City Manager Dunn stated that the natural gas PVC replacement project was complete.
- City Manager Dunn stated that there was minor electric and cable outage due to the snow storm damage.
- City Manager Dunn reminded Council that the Planning Session is scheduled for March 13-14.
- Monthly reports and activities of the various departments.
- State of the City Report.

Matters to be presented by the City Attorney. City Attorney Phelps stated that he was asked to clarify two items for the Downtown Development Authority (DDA). The first was with regard to the issue of appointments to Boards and Committees of the City of Elberton. Section 2-29(3) of the Code of Ordinances provide that the Mayor shall appoint all committees, unless otherwise ordered by the Council, in which case appointment shall be made by ballot. There are three boards (Recreation, Zoning and Planning Commission) that the Code of Ordinance provides for appointment by members of Council. The State law provides that Directors of the Downtown Development Authority will be appointed by Council. The second, is the hire of the Main Street Manager/ DDA Director. Main Street is a State Program created through the Georgia Department of Community Affairs, and the designee of that program is the City of Elberton. Therefore, the Main Street Manager is an employee of the City of Elberton, which falls on the City Manager to hire and fire employees of the City.

Matters to be considered by Council. Council Member Butler inquired as to the status of the Bid Opening for police cars on February 2. He stated that to-date the City Manager has not received any direction on the item. After discussion, Council Member Butler recommended that each Council Member discuss their concerns with the City Manager prior to the next Council Meeting. Council Member Hunt commended the Mayor on organizing the Joint Communities meeting with the Georgia Department of Transportation to discussing the fourlaning of Highway 17. Mayor Guest stated that each governing authority would need to adopt a Resolution supporting the project. Mayor Pro tempore Paul motioned to adopt a Resolution for the purpose of supporting the fourlaning of Highway 17 from Toccoa, Georgia to Thompson, Georgia. Council Member Hunt seconded the motion and the motioned passed unanimously. Mayor Guest instructed City Manager Dunn to prepare the Resolution for Council to sign.

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

Mayor

ATTEST:

City Clerk