

CITY OF ELBERTON
REGULAR MEETING OF THE ELBERTON MAYOR AND COUNCIL

Monday, May 4, 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, May 4, 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 April 6, 2009 Regular Meeting as submitted, seconded by Council Member Hunt and the motion passed unanimously.

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

General Fund	\$ 4.1 million
Combined Utilities Fund	\$ 19.3 million
Elberton Technology Services Fund	\$ 1.9 million net loss
Solid Waste Fund	\$ 259,471
Unrestricted Investments-General Fund and Utility Fund	\$ 2.38 million
Restricted Investments (SPLOST & Utility Funds)	\$ 464,794

There were no scheduled speakers from the floor. Mr. Chip Rousey requested to speak to Council. Mayor Pro tempore Paul motioned to hear Mr. Rousey, seconded by Council Member Colquitt and the motion passed unanimously. Mr. Rousey resides at 219 W. Tate Street. He stated that he opposed the de-annexation of 310 Miller Drive, Ordinance 2156 to be considered later in the meeting. He stated that he was asked by the Pool Committee to invite Council to the next meeting of the committee scheduled for Tuesday night at 6:00 p.m. at the Elbert County Complex. He was also appointed by the committee to ask Council to consider donating the Senior League Field and parking area to be considered for the pool. Mayor Guest stated that the pool would be more accessible to county-wide residents if it were at McWilliams Park. He stated that McWilliams Park did not have enough property for the project and they would have to acquire additional property. Mayor Guest stated that the Council would discuss the request at a later date.

Mayor Guest asked for a motion to place on second reading. There was no motion made to place Ordinance 2156 on second reading. Therefore, the petition was denied. Council Member Hunt stated that he had placed it on first reading for discussion purposes but all of his questions had been answered and that he would not be placing it on second reading. No action was taken by any member of council and the ordinance died.

Council Member Seymour introduced the following Resolution:

Resolution

BE IT RESOLVED BY THE MAYOR AND DULY ELECTED COUNCIL OF THE CITY OF ELBERTON, GEORGIA, AS FOLLOWS:

WHEREAS: The City of Elberton recently completed a renovation of the Elberton Police Department building located at 209 Elbert Street; and

WHEREAS: This project was made possible by the receipt of 2006 Special Purpose Local Option Sales Tax approved by Elbert County voters; and

WHEREAS: The Mayor and Council wish to recognize years of outstanding service to the City of Elberton by former Chief of Police George W. Ward; and

WHEREAS: Mr. George W. Ward was employed 41 years by the City of Elberton from April, 1952 until his retirement in April, 1993; and

WHEREAS: The Mayor and Council strongly believe that George W. Ward deserves a special honor for his proven commitment and dedication to public safety and the citizens of Elberton for his many years of service as the Chief of Police.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the City of Elberton do hereby acknowledge the many years of commendable service and dedication provided to the Elberton Police Department by George W. Ward; and

BE IT FURTHER RESOLVED, that the Elberton Police Department building located at 209 Elbert Street shall be named and referred to as the "***George W. Ward Building.***"

The Resolution was read in its entirety. Council Member Butler motioned to adopt the Resolution as read, seconded by Council Member Seymour. During discussion, Council Member Hunt stated that the issue should have been discussed in open session prior to the resolution being prepared. Mayor Guest stated that he wanted it to be a surprise; therefore, he discussed the issue separately with each member of council. Council Member Hunt stated that a phone call poll does not stand for a vote. The motion to adopt passed unanimously.

Council Member Seymour introduced the following Resolution:

RESOLUTION

WHEREAS, the 1989 Georgia General Assembly enacted House Bill 215, the Georgia Planning Act, requiring all local governments to prepare a comprehensive plan in accordance with the Minimum Planning Standards and Procedures promulgated by the Georgia Department of Community Affairs; and

WHEREAS, the Partial Update for Elbert County’s Comprehensive Plan for the City of Elberton, Georgia was prepared in accordance with the Minimum Planning Standards and Procedures; and

NOW THEREFORE, BE IT RESOLVED, by the City of Elberton that the Partial Plan Update for the Elbert County Comprehensive Plan dated January 2009, as approved by the Georgia Department of Community Affairs is hereby adopted, and furthermore, that the Northeast Georgia Regional Development Center shall be notified of said adoption within seven (7) days of the adoption of this resolution.

ADOPTED this 4th day of May, 2009.

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

Mayor Pro tempore Paul asked to remove item 3 from the consent agenda. Council Member Colquitt motioned to approve the consent agenda as amended, seconded by Council Member Seymour and the motion passed unanimously.

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

POLICE DEPT

Darin Rucker
Illicit Drugs & Impact on the
Community
Piedmont College/Drug Enforcement
Agency in Athens, GA
May 15, 2009 8 hours
Registration: \$10.00

Scott Marunich, Cory Thornton &
Macon Clark
Intoximeter 5000 Basic Class
GPSTC in Forsyth, Ga
June 22 – 23, 2009 16 hours
Registration: None
Travel/Lodging: \$156.00

Allen Lee, Joe McGuffin & Brian
Jones
Breath Alcohol Training
Recertification
Regional Police Academy in Augusta,
GA
May 21, 2009 4-hours
Registration: None

Jason Bagwell & Josh Ertley
Radar Operators Basic Class
GPSTC in Forsyth, GA
June 25-26, 2009 16 hours
Registration: None
Travel/Lodging: \$78.00

Brian Jones & Allen Lee
T-Cap/Criminal Patrol
RCTA in Meridian, MS
June 22-26, 2009 40 hours

Registration: None

Nancy Littleton & Tamekia Downer
TAC Recertification
Savannah, GA
August 17 - 20

Registration: \$105.00 each
Lodging: \$432.00 each

CITY MARSHAL

Post Blast Crime Scene
Investigations
Forsyth, GA

June 8-9, 2009 16 hours

Registration: None
Travel/Lodging: \$80.00

UTILITIES - ADMIN

David Hudson
2009 Electric Cities
Savannah, GA
May 18-20, 2009

Registration: \$ 250.00
Travel/Lodging: \$ 599.62

WASTEWATER

Jason Hackett/Ray McGill
Activated Sludge Process Control
Helen, GA
April 30, 2009

Registration: \$ 230.00
Travel/Lodging: \$ 152.41

WATER

Wayne Smith
GRWA 30th Training Conference
Jekyll Island, GA
May 16-19, 2009

Registration: \$ 290.00
Travel/Lodging: \$ 606.64

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

Police

Two 4-door sedans fully equipment with police package per specs approved by Council. Bid opening 4/28/2009.

Vendor	Bid Amount	Make/Model	
Claude Ray Ford	\$52,800.00	2009 Ford CV	Recommended
Force 911	\$52,988.00	2009 Ford CV	
Allen Vigil Ford	\$52,868.00	2010 Ford CV	Aug-Sept Delivery
Jefferson Motor Co.	\$53,372.58	2009 Ford CV	
Ed Murdock	\$54,468.00	2009 Ford CV	Did not meet Spec #11
Ed Murdock	\$49,178.00	2009 Dodge Chrg	Did not meet Specs #8 & 11
Brennen Chevrolet & Ford	\$56,008.00	2009 Ford CV	
Akins Dodge & Ford	\$51,708.00	2009 Ford CV	Did not meet Spec #11
Akins Dodge & Ford	\$53,206.00	2009 Dodge Chrg	Did not meet Spec #11 & Condition #8
LaPrade Government Sales	Responded		Cannot meet Spec #22
GA Commercial Vehicles	No Response		
Police Cruisers LTD	Returned		
Hardy Chevrolet	No Response		
Speedway Dodge	Returned		
Carl Gregory Dodge	No Response		
Athens Dodge	No Response		
Athens Chevrolet	No Response		

Peach County Ford	Submitted late		
Dept of Public Safety	No Response		

(Recommendation based on low bidder that also met all specifications.)

3. Consideration of accepting the minutes and decisions of the Elberton Planning Commission of April 27, 2009 was removed from the consent agenda by Mayor Pro tempore Paul for further discussion.
4. Authorized the City Manager and/or City Clerk to execute renewal contracts for insurance plans.
5. Accepted the Budget Calendar for Fiscal Year 2010.
6. Authorized the issuance an alcoholic beverage license to CVS located at 232 Elbert Street.

Mayor Pro tempore Paul removed item 3 consideration of accepting the minutes and decisions of the Elberton Planning Commission of April 27, 2009 from the consent agenda for further discussion. The Elberton Planning Commission motioned to approve the request based on the facts with the understanding that Council is aware that the Commission just denied a similar request on Rhodes Drive. The Commission also included in their motion that they wanted Council to make the decision. City Attorney Phelps addressed the Rhodes Drive property by stating that the property held a restrictive covenant of equitable servitude, which regulates property usage. He stated that the property on Lake Forest Drive did not hold the same restrictions. Council Members Seymour, Colquitt and Paul expressed concerns with the request. Therefore, they instructed City Attorney Phelps to clarify and provide additional information on the regulations of the request. After discussion, Council Member Colquitt motioned to table the item until the June 1, 2009 meeting, seconded by Mayor Pro tempore Paul and the motion passed unanimously.

City Manager Dunn presented the following reports to Council:

- The ElbertonNET expansion project for the Washington Hwy has begun.
- City Manager Dunn asked Council to consider the request made by Ms. Joyce Davis on behalf of the Visual Arts Council at the meeting last month. He stated that the Elbert County Commissioners approved the Council to use the Old Health Department Building on W. Church Street and to provide in-kind labor in renovations to be done on the building. He recommended that the City offer the same. Mayor Pro tempore Paul motioned to approve the Council to use the Old Health Department Building on Church Street and provide in-kind labor, seconded by Council Member Colquitt and the motion passed unanimously.
- Monthly reports and activities of the various departments.

Matters to be considered by Council. Council Member Hunt asked that a policy for naming buildings be established to address future requests. Council Member Colquitt expressed his appreciation for the sidewalk repairs on Tate Street. Council Member Seymour asked City Attorney Phelps to look into a property on Lake Forest Drive that had too many people residing in it. Council Member Hunt commended the good work of the Police and Investigator Darin Rucker in the traffic accident earlier this week.

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

Mayor

ATTEST:

City Clerk