

CITY OF ELBERTON
PUBLIC HEARING AND REGULAR MEETING OF THE MAYOR AND COUNCIL

Monday, June 2, 2014 – 5:30 p.m.

Pursuant to due call and notice thereof the Public Hearing and Regular Meeting of the Mayor and Council convened at 5:30 p. m. on Monday, June 2, 2014 in Council Chambers of the Municipal Building, 203 Elbert Street with Mayor Guest presiding.

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

Mayor Guest called the Public Hearing to order. A Notice of Hearing was issued in accordance with law for the purpose of obtaining comments on the FY 2015 proposed budget. Mayor Guest asked if there were any comments on the proposed budget. There were no oral or written comments. Council Member Butler motioned to adjourn the public hearing, seconded by Council Member Seymour and the motion to adjourn the public hearing passed unanimously (Butler, Hunt, Seymour, Colquitt).

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

Council Member Hunt motioned to approve the minutes of the May 5, 2014 meeting as submitted, seconded by Council Member Seymour and the motion passed unanimously (Butler, Hunt, Seymour, Colquitt).

Controller Kevin Eavenson presented the Financial Report through April 2014 is enclosed for review.

General Fund	\$ 5.4 million
Combined Utilities Fund	\$ 28.8 million
Elberton Technology Services Fund	\$ 545,718
Solid Waste Fund	\$ 42,811 net loss
Unrestricted Investments-General Fund and Utility Fund	\$ 6.2 million
Restricted Investments (SPLOST & Utility Funds)	\$ 2.6 million

There were no scheduled speakers from the floor. However, Mr. Ty Sigman requested to speak with regard to Ordinance 2184. Council Member Butler motioned to hear Mr. Sigman, seconded by Council member Hunt and the motion passed unanimously (Butler, Hunt, Seymour, Colquitt). Mr. Sigman stated that he had reviewed Ordinance 2184 and the addition of taking photographs of every item and finger printing every customer would present a strain on him as a business owner. Mayor Guest called on Chief Welsh to discuss the item. Chief Welsh stated that the ordinance presented to Council was within the “norm” of what the other cities and counties were adopting.

Council Member Hunt motioned to place Ordinance 2184 on Second Reading and waive the formal reading, seconded by Council Member Butler and the motion passed unanimously (Butler, Hunt, Seymour, Colquitt).

ORDINANCE 2184

AN ORDINANCE OF THE CITY OF ELBERTON TO REPLACE ARTICLE VIII OF CHAPTER 10 OF THE CODE OF THE CITY OF ELBERTON, GEORGIA TO CREATE ADDITIONAL LICENSING REQUIREMENTS FOR SECONDHAND DEALERS WITHIN THE CITY; AND FOR OTHER PURPOSES.

Council Member Colquitt motioned to adopt the Ordinance as submitted, seconded by Council Member Hunt and the motion passed unanimously (Butler, Hunt, Seymour, Colquitt).

Council Member Butler introduced a Resolution to authorize an amendment to the Plant Vogtle Expansion contract with MEAG Power and its Participants as follows:

RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF CERTAIN AMENDED AND RESTATED POWER SALES CONTRACTS RESPECTING THE PLANT VOGTLE ADDITIONAL UNITS; AND FOR OTHER PURPOSES.

WHEREAS, the CITY OF ELBERTON (“City”) is a Participant of the Municipal Electric Authority of Georgia (“MEAG Power”); and

WHEREAS, the City is party to (i) a certain Plant Vogtle Additional Units Non-PPA Power Sales Contract (the “Non-PPA Contract”), (ii) a certain Plant Vogtle Additional Units PPA Power Sales Contract (the “PPA Contract”) and (iii) a certain Plant Vogtle Additional Units PPA-2 Power Sales Contract (the “PPA-2 Contract,” and together with the Non-PPA Contract and the PPA Contract, the “Contracts”), each dated as June 15, 2008, with MEAG Power; and

WHEREAS, the Contracts, along with substantially similar contracts between MEAG Power and certain other Participants, and the bonds and bond resolutions related thereto were validated in Superior Court of Fulton County, Georgia in Civil Action File Nos. 2008CV159297 and 2009CV179503; and

WHEREAS, the City and MEAG Power desire to amend the Contracts, and have caused certain amendments and restatements thereof to be prepared (the “Amendments”), to accommodate, among other things, the DOE Guaranteed Loan (as defined in the Amendments) in order to effect lower financing costs for the Plant Vogtle Additional Units Non-PPA Project, the Plant Vogtle Additional Units PPA Project and the Plant Vogtle Additional Units PPA-2 Project, drafts of which are attached hereto as Exhibits A, B and C, respectively;

NOW, THEREFORE, BE IT RESOLVED that the Mayor (“Authorized Official”) is hereby authorized and directed to execute, and the Clerk, or any Assistant Clerk, is hereby authorized to attest and deliver the Amendments, in substantially the forms thereof attached hereto, with such changes thereto as the Authorized Official deems necessary or appropriate, including changes requested by DOE (as defined in the Amendments) in conjunction with the DOE Guaranteed Loan, the execution of the Amendments by the Authorized Official being conclusive evidence of the approval of such changes; and

FURTHER RESOLVED that the City hereby authorizes the Mayor and the Clerk, or any Assistant Clerk, to take any further actions and execute and deliver any other documents necessary to carry out the purpose of this Resolution, as amended from time to time, including, but not limited to, executing all documents necessary for validation and confirmation of the Amendments and other matters respecting the DOE Guaranteed Loan.

Council Member Colquitt motioned to adopt the Resolution, seconded by Council Member Prince and the motion passed unanimously (Butler, Hunt, Seymour, Colquitt).

Council Member Butler motioned to approve the consent agenda, seconded by Council Member Hunt and the motion passed unanimously (Butler, Hunt, Seymour, Colquitt).

1. Approved the expenditures that exceed the city manager's purchasing authority was removed for further discussion.
2. Approved the issuance of a public assembly permit to close portions of the square to vehicular traffic for Main Street Elberton's Summer Concert Series and Cruise-In Car Show.
 - a. Mike Watson Band concert on McIntosh Street, June 21, 2014.
 - b. 17th Annual Cruise-In Car Show on the square, July 12, 2014.
 - c. Lisa and the Illusions concert on the square, August 2, 2014.
 - d. Rubiks Groove Band concert on McIntosh Street, Aug. 23, 2014.

City Manager Dunn presented the following reports:

- Monthly report on the activities of various departments.

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

Mayor

ATTEST:

City Clerk