

CITY OF ELBERTON
REGULAR MEETING OF THE MAYOR AND COUNCIL
Monday, March 2, 2015 – 5:30 p.m.

Pursuant to due call and notice thereof the meeting of the Mayor and Council convened at 5:30 p. m. on Monday, March 2, 2015 in Council Chambers of the Municipal Building, 203 Elbert Street with Mayor Guest presiding.

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

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 Seymour motioned to approve the minutes of the February 2, 2015 meeting as submitted, seconded by Council Member Colquitt and the motion passed unanimously (Butler, Hunt, Prince, Colquitt, Seymour).

Controller Kevin Eavenson presented the Financial Report through January 2015 is enclosed for review.

General Fund	\$ 4.5 million
Combined Utilities Fund	\$ 29.4 million
Elberton Technology Services Fund	\$ 966,777
Solid Waste Fund	\$ 1,042
Unrestricted Investments-General Fund and Utility Fund	\$ 6.7 million
Restricted Investments (SPLOST & Utility Funds)	\$ 2.6 million

Mrs. P Jo Phelps presented a video that the Elbert County Chamber of Commerce that will be distributed for economic development purposes.

Mrs. Mary Clark asked Council to consider including the Martin Luther King Committee in the budget next year.

Council Member Colquitt placed Ordinance 2186 on second reading with a heading as follows.

ORDINANCE 2186

An Ordinance to amend and restate the Retirement Plan for the Employees of the City of Elberton, Georgia in accordance with and subject to the terms and conditions set forth in the attached Adoption Agreement, any Addendum to the Adoption Agreement, the Georgia Municipal Employees Benefit System (GMEBS) Master Plan Document, and the GMEBS Trust Agreement. When accepted by the authorized officers of the City and GMEBS, the foregoing shall constitute a Contract between the City and GMEBS, all as authorized and provided by O. C. G. A. 47-5-1 et seq.

City Manager Dunn read the Ordinance in its entirety at the February meeting. Council Member Colquitt motioned to waive the formal reading, seconded by Council Member Butler and the motion passed unanimously (Butler, Hunt, Prince, Colquitt, Seymour). Council Member Colquitt motioned to adopt the Ordinance, seconded by Council Member Hunt and the motion passed unanimously (Butler, Hunt, Prince, Colquitt, Seymour).

Council Member Butler introduced the following Resolution:

RESOLUTION TO AUTHORIZE CAPITAL LEASE

A RESOLUTION TO AUTHORIZE AND
DIRECT AN OFFICER OF THE CITY
TO EXECUTE ONE OR MORE CAPITAL LEASES; TO DESIGNATE
SUCH LEASES AS QUALIFIED TAX-EXEMPT OBLIGATIONS;
TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the City has authorized the purchase of two (2) garbage trucks for the solid waste division of the Public Works Department, and whereas the delivery of those trucks is anticipated in March, 2015;

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS BY THE GOVERNING BODY OF THE CITY:

1. The City Manager of the City is hereby authorized and directed to execute and deliver Lease Documents to put into effect one or more leases for Two (2) 20 cu. yd. New Way Cobra Rear Load Solid Waste Trucks, mounted on Peterbuilt Model 348 (the "Leased Property"); said officer of the City is authorized and directed in the name and on behalf of the City to execute and deliver (i) one or more Leases or Lease Supplements for items of the Leased Property, with such changes and additions as may be approved by said officer, and (ii) such other documents as may be deemed by such officer to be necessary or desirable to effect the purposes hereof, and such execution shall constitute conclusive evidence that the executed document has been authorized and approved hereby; the aforesaid officer is further authorized to do all things necessary or appropriate to effectuate the purposes hereof.
2. An appropriation in the City's current operating budget has previously been made which shall be sufficient to pay the "Rentals" and the "Termination Payment" during the "Starting Term" under such Lease Supplements.
3. The lease or leases contemplated by the said Lease Supplements are hereby designated "Qualified Tax-Exempt Obligations" within the meaning of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended, and said officer shall be authorized to confirm such designation by execution of appropriate documents in connection therewith.
4. This authorization shall be effective immediately.

City Manager Dunn read the Resolution in its entirety. Council Member Butler motioned to adopt the Resolution, seconded by Council Member Seymour and the motion passed unanimously (Butler, Hunt, Prince, Colquitt, Seymour).

Council Member Colquitt introduced the following Resolution:

RESOLUTION TO AUTHORIZE CAPITAL LEASE

A RESOLUTION TO AUTHORIZE AND
DIRECT AN OFFICER OF THE CITY
TO EXECUTE ONE OR MORE CAPITAL LEASES; TO DESIGNATE
SUCH LEASES AS QUALIFIED TAX-EXEMPT OBLIGATIONS;
TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the City has authorized the purchase of constructing Natural Gas Bare Steel Line Replacement Project divided into three (3) construction phases, approximating 13.75 miles of line, and whereas the construction of those lines is anticipated to begin in March, 2015;

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS BY THE GOVERNING BODY OF THE CITY:

1. The City Manager of the City is hereby authorized and directed to execute and deliver Lease Documents to put into effect one or more leases for Natural Gas Bare Steel Line Replacement Project divided into three (3) construction phases, approximating 13.75 miles of line (the "Leased Property"); said officer of the City is authorized and directed in the name and on behalf of the City to execute and deliver (i) one or more Leases or Lease Supplements for items of the Leased Property, with such changes and additions as may be approved by said officer, and (ii) such other documents as may be deemed by such officer to be necessary or desirable to effect the purposes hereof, and such execution shall constitute conclusive evidence that the executed document has been authorized and approved hereby; the aforesaid officer is further authorized to do all things necessary or appropriate to effectuate the purposes hereof.
2. An appropriation in the City's current operating budget has previously been made which shall be sufficient to pay the "Rentals" and the "Termination Payment" during the "Starting Term" under such Lease Supplements.

3. The lease or leases contemplated by the said Lease Supplements are hereby designated “Qualified Tax-Exempt Obligations” within the meaning of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended, and said officer shall be authorized to confirm such designation by execution of appropriate documents in connection therewith.
4. This authorization shall be effective immediately.

City Manager Dunn read the Resolution in its entirety. Council Member Colquitt motioned to adopt the Resolution, seconded by Council Member Prince and the motion passed unanimously (Butler, Hunt, Prince, Colquitt, Seymour).

Council Member Hunt asked to remove item 2 of the consent agenda. Council Member Butler motioned to approve the consent agenda as amended, seconded by Council Member Prince and the motion passed unanimously (Butler, Hunt, Prince, Colquitt, Seymour).

1. Consideration of expenditures that exceed the city manager’s purchasing authority.

Department: Public Works Paving projects (2014 GDOT LIMG + 30% match from SPLOST) Arts Center parking lot; resurfacing of Tribble St., Hamilton St., part of E. Railroad Street between Campbell and Locklin, and Martin Street from Campbell to Taggart, plus associated milling and patching as needed		
Vendor:		
Stratton & Sons	Recommended	Arts Center \$17,968.00 Streets <u>\$63,840.00</u> Total \$81,808.00
ER Snell		Arts Center \$24,772.00 Streets <u>\$74,072.00</u> Total \$98,844.00

Recommendation based on low bidder.

2. Authorization to close a portion of the downtown square to vehicular traffic on Sunday, April 5, 2015 from 5 a.m. until 8:00 a.m. for the Easter Sunrise Service sponsored by First United Methodist Church was removed by Council Member Hunt.
3. Authorized the closing of a portion of the downtown square to vehicular traffic on Saturday, April 25, 2015 from 10:00 a.m. until Noon for the FADFEST event sponsored by ECCHS and ECMS.

Council Member Hunt stated that he removed item 2 of the consent agenda in error. Council Member Butler motioned to approve item 2 as submitted, seconded by Council Member Seymour and the motion passed unanimously (Butler, Hunt, Prince, Colquitt, Seymour).

City Manager Dunn presented the following reports:

- The Elberton Arts Center’s first event will be held March 14. Ribbon cutting and grand opening will be held at the end of April.
- Contractors have started on the natural gas project on Gordon Street.
- Electric, ElbertonNET and Public Works worked to make repairs and clean up after the winter storm last week. Mayor Guest thanked the City of Covington for their help.
- Planning session will be Saturday at 8:00 a.m. at Arrowhead Point.
- Monthly report on the activities of various departments.

Mayor Guest asked Council to go into executive session for the purpose of discussing hiring, compensation, evaluation or disciplinary action for a specific public officer or employee as permitted by O.C.G.A. 50-14-3(b)(1). Council Member Hunt motioned to close the meeting and move into executive session, seconded by Council Member Prince and the motion passed unanimously (Butler, Hunt, Prince, Colquitt).

Council Member Hunt motioned to move out of executive session and reconvene regular meeting, seconded by Council Member Butler and the motion passed unanimously (Butler, Hunt, Prince, Seymour, Colquitt).

Mayor Guest announced that due to the resignation of City Attorney, R. Chris Phelps, a replacement was needed. Council Member Seymour nominated Steve Jenkins to act as the City Attorney, seconded by Council Member Hunt and the motion passed unanimously (Butler, Hunt, Seymour, Prince, Colquitt).

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