

CITY OF ELBERTON
PUBLIC HEARING AND REGULAR MEETING OF THE ELBERTON MAYOR AND COUNCIL
Monday, December 2, 2013 – 5:30 p.m.

Pursuant to due call and notice thereof the Public Hearing and Regular Meeting of the Mayor and Council convened at the above date and time 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 Manager Dunn, City Attorney Phelps, and City Clerk Churney.

Mayor Guest welcomed City of Hartwell Mayor Jennifer Scott to the meeting. Mayor Scott then presented Mayor Guest with the Mayor's Cup on behalf of the City of Hartwell. The Mayor's Cup is presented each year to the high school team that wins the Elbert vs. Hartl football game.

Mayor Guest called the Public Hearing to order. A Notice of Hearing was issued in accordance with law for the purpose of hearing comments from the license holders in violation of the alcoholic beverage ordinance. City Marshal Allen Lee stated that he had conducted an undercover sale operation on October 29, 2013 (2-3 sold to the minor) and November 13, 2013 (7-14 sold to the minor). Mayor Guest asked if any of the license holders would like to speak.

- Mr. William Minder, Walgreens, apologized for the violation, the employee was terminated and employees are being retrained by December 15.
- Mr. Kasyapkumar R. Patel, Kenny's Korner, apologized for the violation.
- Ms. Becky Sears, Kenny's Korner, apologized for assuming the customer was of legal age. She added that the customer was a friend of her son's and thought she was older.
- Mr. Bill Daughtry, Josh & Joel's Minit Mart, apologized for the violation, the store has had the same owner for the past five years.
- Exxon Tiger Mart, apologized for the violation, honest mistake. He added that he asked the customer for her identification and she said it was in the car. He asked her to retrieve it from the car and return, but she did not.
- Mr. Lamar Rousey, Bi-Lo, apologized for the violation, employee was terminated.
- Ms. Joanna Chambers, Circle K Store, apologized for the violation, employee was terminated.

Administrative action will be considered by Council later in the meeting. There being no other comments, Council Member Hunt motioned to adjourn the Public Hearing, seconded by Council Member Butler and the motion passed unanimously (Butler, Hunt, Seymour, Paul, Colquitt).

Mayor Guest called the Regular Meeting to order and led the assembly in the Pledge of Allegiance. Council Member Paul led the assembly in prayer.

Council Member Seymour motioned to approve the minutes of the November 4, 2013 regular Meeting as submitted. Council Member Hunt seconded the motion and it passed unanimously (Butler, Hunt, Seymour, Paul, Colquitt).

Reports. Controller Kevin Eavenson presented the Financial Report through October 2013 is enclosed for review.

General Fund	\$ 5.4 million
Combined Utilities Fund	\$ 26.9 million
Elberton Technology Services Fund	\$ 304,836

Solid Waste Fund	\$ 13,760
Unrestricted Investments-General Fund and Utility Fund	\$ 5.3 million
Restricted Investments (SPLOST & Utility Funds)	\$ 2.7 million

Police Chief Mark Welsh spoke with regard to the Elberton Police Department receiving 2nd place in the Governors Highway Safety Program statewide. The department will receive \$3,000 enforcement money. He formally recognized Tamika Downer, Macon Clark and Michael Davis for their hard work in submitting the information on behalf of the department.

Mrs. Mary Clark spoke on behalf of the Martin Luther King, Jr. Committee. She thanked the City for their continued support with the program. Mrs. Clark also asked to be included in the City's budget.

Council considered the administrative penalties to license holders that are in violation of the alcoholic beverage ordinance. Council Member Paul motioned to accept the administrative penalties as submitted, seconded by Council member Butler and the motion passed 4-1 with Butler, Hunt, Seymour, Paul voting for the motion and Council Member Colquitt voting against the motion. Administrative penalties are as follows:

Business Name	Location	Fine	Bond	Total Due
Bi-Lo 291	709 Lower Heard Street	\$300.00	\$250.00	\$550.00
Circle K Store	211 N. Oliver Street	\$300.00	\$250.00	\$550.00
Edwards Package	583 Elbert Street	\$300.00	\$250.00	\$550.00
Exxon Tiger Mart	118 N. Oliver Street	\$300.00	\$250.00	\$550.00
Josh & Joel's	310 Elbert Street	\$300.00	\$250.00	\$550.00
Wal-Mart	243 College Ave	\$300.00	\$250.00	\$550.00
Walgreens	955 Elbert Street	\$300.00	\$250.00	\$550.00
Kenny's Korner	18 College Ave	\$300.00	\$250.00	\$550.00

Council Member Butler asked to remove item 2 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 (Butler, Hunt, Seymour, Paul, Colquitt).

1. Approved the dues, travel and training for the month for the Mayor and Council to attend the Mayors' Day Conference in Atlanta January 24-27, 2014.
2. Acceptance of the Municipal General Election results for November 5, 2013 was removed from the consent agenda for further discussion.
3. Approved issue of alcoholic beverage licenses for calendar year 2014.
4. Authorized the closing of various streets for the Twilight Stroll on Friday, January 3 at 7:00 p.m. The event is sponsored by the Elbert County Chamber of Commerce and approved by the Main Street Elberton Promotions Committee.
5. Authorized the closing of various streets for the Martin Luther King Parade on Sunday, January 19 at 4:00 p.m. The parade will begin at the Blackwell Cultural Center and proceed south on Mill Street to Elbert Street then west to Oliver Street then south to the downtown square. The event is sponsored by the Martin Luther King Parade Committee and approved by the Main Street Elberton Promotions Committee.
6. Accepted the minutes and decisions of the Elberton Planning Commission of November 18, 2013.

Council Member Butter asked for clarification on the Municipal General Election results for November 5, 2013. After discussion, Council Member Butler motioned to accept the election results as submitted, seconded by Council Member Paul and the motion passed unanimously (Butler, Hunt, Seymour, Paul, Colquitt).

Council considered a written request from Mohammed Salim Khan to amend the alcoholic beverage ordinance that requires the applicant be a citizen of the United States. This is not a state law, but a local one. No action was taken by Council.

City Manager Dunn presented the following reports:

- Monthly report on the activities of various departments.

City Attorney Phelps stated that 345A & B Mill Street, 119 S. Thomas Street, 520 Jones Street, 524 Jones Street, 650 Pulliam Street, 115 N. McIntosh Street, and 117 N. McIntosh Street went to court earlier in the month and the judge issued them to be demolished by the City. 436 Lee Street went to court as well and will be converted to a storage building. The Board of Education is planning on an asbestos abatement next month for 390 Mill Street.

Mayor Guest asked for a motion to move 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 Seymour and the motion passed unanimously (Butler, Colquitt, Hunt, Paul, Seymour).

Council Member Colquitt motioned to move out of executive session and reconvene the regular meeting, seconded by Council Member Paul and the motion passed unanimously (Butler, Colquitt, Hunt, Paul, Seymour). Mayor Guest announced no decisions were made in the Executive Session. Mayor asked if there were any other matters to be brought forth. Council Member Hunt motioned to leave the FY14 budget as previously adopted, seconded by Council Member Paul and the motion passed unanimously (Butler, Colquitt, Hunt, Paul, Seymour).

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