

**CITY OF ELBERTON**  
**REGULAR MEETING OF THE ELBERTON MAYOR AND COUNCIL**

Monday, October 1, 2012 – 5:30 p.m.

Pursuant to due call and notice thereof the Regular Meeting of the Mayor and Council convened at 5:30 p. m. on Monday, October 1, 2012 in Council Chambers of the Municipal Building, 203 Elbert Street with Mayor Guest presiding.

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

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

Council Member Seymour motioned to approve the minutes of the September 10, 2012 meeting as submitted, seconded by Council Member Colquitt and the motion passed unanimously (Butler, Colquitt, Hunt, Paul, Seymour).

Reports. Controller Eavenson presented the Financial Report through August 2012 as enclosed for review.

General Fund	\$ 4.7 million
Combined Utilities Fund	\$ 25 million
Elberton Technology Services Fund	\$ 564,500 net loss
Solid Waste Fund	\$ 129,518

Unrestricted Investments-General Fund and Utility Fund	\$ 4.7 million
---	----------------

Restricted Investments (SPLOST & Utility Funds)	\$ 2.2 million
--	----------------

There were no scheduled speakers from the floor.

Mr. Pete Gibbons requested to speak on behalf of the City of Bowman with regard to the Bowman Fall Festival. Mayor Pro tem Butler motioned to hear Mr. Gibbons, seconded by Council Member Paul and the motion passed unanimously (Butler, Colquitt, Hunt, Paul, Seymour). Mr. Gibbons thanked the City of Elberton on behalf of the City of Bowman for donating the stage for the Bowman Fall Festival held on September 22, 2012. Mayor Guest thanked Mr. Gibbons.

Mr. John Clark requested to speak on behalf of the Concerned Men of Elbert County. Council Member Hunt motioned to hear Mr. Clark, seconded by Council Member Paul and the motion passed unanimously (Butler, Colquitt, Hunt, Paul, Seymour). Mr. Clark stated that the Concerned Men of Elbert County had submitted an application to be placed in the budget as a line item. He stated that since the group has been at the Burke Street Recreation facility, the criminal activity has decreased. Mr. Clark provided Council with a handout of youth activities that are planned for the facility. City Manager Dunn requested an itemized detail on the specific purchased that the group planned to make. Mr. Clark stated that Mr. Gaines and Mr. Hall would submit that information to the City Manager. Council Member Paul requested a copy of last year's budget to review. Mr. Clark stated that he would forward that information to the City Manager as well. Mayor Guest thanked Mr. Clark.

Council Member Colquitt read a letter that he received from Mr. Doy Johnson, Executive Vice President of the Elberton Granite Association (EGA) with regard to the energy tax implementation on the granite industry. Mayor Guest stated that Council would discuss the matter at the next meeting.

Council Member Seymour introduced the following Resolution:

### **RESOLUTION**

**WHEREAS:** Pursuant to Georgia state law, OCGA 48-8-89, and further consideration hereinafter set forth, Elbert County and the cities of Elberton and Bowman have successfully negotiated the distribution of the Local Option Sales Tax (LOST) receipts for the next ten (10) year period beginning January 1, 2013, and ending December 31, 2022; and

**WHEREAS:** Elbert County, Elberton, and Bowman have reviewed the impact of all criteria required by law within their negotiations; and

**WHEREAS:** Elbert County, Elberton, and Bowman have been able to resolve and agree upon other areas of concern to both parties during the LOST renegotiation; and

**WHEREAS:** Elbert County, Elberton, and Bowman agree to maintain the current distribution percentages for the next ten (10) years, the current distribution being Elbert County 66%, Elberton 29% and Bowman 5%.

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the City of Elberton that the proposed contracts are determined to be in the best interest of the City of Elberton and its citizens.

**BE IT FURTHER RESOLVED** by the Mayor and Council of the City of Elberton as follows:

Section 1. The Mayor and/or City Manager are authorized to execute an Intergovernmental Contract with Elbert County and Bowman in substantially the form of Attachment A for the distribution for local option sales taxes.

Section 2. The Mayor and/or City Manager are authorized to execute an Intergovernmental Contract with Elbert County for the provision of jail services and dispatch services in substantially the form of Attachment B.

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

Council Member Paul motioned to approve the consent agenda as submitted, seconded by Mayor Pro tem Butler and the motion passed unanimously (Butler, Colquitt, Hunt, Paul, Seymour).

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

**Police Department:**

Daniel White  
Courtroom Security for Municipalities  
November 26 – 28, 2012  
Gwinnett, GA

Travel / Lodging: \$315.00

Joe McGuffin & Allen Lee  
PMP Course  
November 26- 30, 2012  
Conyers, GA

Travel / Lodging: \$ 900.00

**Utilities – Sewer:**

Pat Killacky  
2012 Fall Conference, Expo & Lab Symposium Georgia Association of Water Professionals  
Recertification Points  
Dalton, GA  
November 13-14, 2012

Registration: \$220.00

Travel/lodging: \$453.88

2. Approval of the expenditures that exceed the City Manager's purchasing authority was removed by Council Member Seymour for further discussion.
3. Authorized the issuance of a public assembly permit and to close various streets as requested by Main Street Elberton for the following events:
  - a. Thursday, October 11 and 18, 2012, 7-9 pm – One Way to Thursday event, close McIntosh Street to parking and vehicular traffic by 6pm to setup stage and sound. Stage will be in placed at the end of McIntosh Street in front of Richard's Restaurant.
  - b. Saturday, October 27, 2012, 4-9 pm – Mount Calvary Baptist Church's Annual Family Day Block Party, close Williams Street to the railroad tracks at Almond Street to parking and vehicular traffic.
  - c. Tuesday, November 20, 2012, 5-7 pm – Candlelight Shop Night, close area in front of the fountain to parking and vehicular traffic for placement of stage.
  - d. Sunday, December 2, 2012, 3pm – Kiwanis Christmas Parade, close portions of city streets to vehicular traffic beginning at the intersection of Elbert Street and Heard/Locklin Streets. The parade will proceed toward S. Oliver Street to the square turning and proceeding to Heard Street to Kimbrell's Furniture Store.
  - e. Sunday, January 20, 2012, 4 pm – Martin Luther King Parade, close portions of city streets to vehicular traffic beginning at Blackwell Cultural Center on Mill Street traveling to Elbert Street to S. Oliver Street to the square turning and proceeding to Heard Street to Kimbrell's Furniture Store.

City Manager Dunn presented the monthly report.

- The pole transfers by AT&T continue to be a problem. Consideration of adopting a right of way ordinance which is permitted under state law. The purpose of the ordinance must be for public safety and convenience, and for public protection and prevention of nuisances.
- Lexington Highway electric project is 50% complete.

- The Arts Center renovation project was put to bid today and will close October 31, 2012.
- The two ElbertonNet projects approved last month have begun.
- Hickory Drive park needs large pine trees cut down before doing any improvements at the park.
- Staff is beginning to feel the impact of administering the new illegal immigration act passed in Georgia in 2011. Starting this year business license/occupational tax renewals will require an affidavit as well as a photo copy of their driver's license or government photo id for renewal.
- Monthly activities of the department.

Mayor Guest stated that City Attorney Phelps' parents (Mr. and Mrs. Crayton Phelps) were recognized recently for their donation of land for the airport. He stated that the terminal was named after them recently at a dedication ceremony.

City Attorney Phelps stated that the hearings for October 15, 17 and 23 are still planned with regard to several dilapidated housing properties.

There being no further business to come before Council, upon proper motion and second the meeting was adjourned (Butler, Colquitt, Hunt, Paul, Seymour).