

CITY OF ELBERTON
ORGANIZATIONAL & REGULAR MEETING OF THE MAYOR AND COUNCIL
Monday, January 7, 2019 – 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, January 7, 2019 in Council Chambers of the Municipal Building, 203 Elbert Street with Mayor Guest presiding.

Present were: Council Members Butler, Colquitt, Hunt, Parham, and Prince; City Attorney Jenkins, 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 Jenkins let the assembly in prayer.

Council Member Colquitt nominated Rick Prince for Mayor Pro tem for the calendar year 2019, Mayor Guest closed the nominations and the nomination passed unanimously (Butler, Hunt, Parham, Colquitt). Mayor Guest administered the Oath of Office to Council Member Prince.

Council Member Butler nominated Steve Jenkins as the City Attorney. Mayor Guest closed the nominations and the nomination passed unanimously (Butler, Hunt, Parham, Prince, Colquitt). Council Member Butler nominated Robert A. Johnson as Municipal Court Judge. Mayor Guest closed the nominations and the nomination passed unanimously (Butler, Hunt, Parham, Prince, Colquitt). Mayor Guest administered the Oath of Office to Steve Jenkins and Robert A. Johnson.

Council Member Hunt motioned to approve the minutes of the December 3 meeting, seconded by Council Member Parham and the motion passed unanimously (Butler, Colquitt, Hunt, Prince, Parham).

There were no speakers from the floor.

Council Member Butler placed Ordinance 2204 on second reading for consideration:

ORDINANCE 2204

AN ORDINANCE TO AMEND THE CHARTER OF THE CITY OF ELBERTON SECTION 16 SO AS TO PROVIDE FOR ADDITIONAL POWERS, DUTIES AND AUTHORITY OF THE CITY COUNCIL OF THE CITY OF ELBERTON, GEORGIA, WITH RESPECT TO NATURAL GAS SYSTEMS; TO REPEAL ALL OTHER ACTS AND ORDINANCES IN CONFLICT HEREWITH; AND FOR OTHER PURPOSES.

Council Member Colquitt motioned to waive the reading, seconded by Council Member Prince and the motion to waive passed unanimously. City Manager Dunn read the Ordinance in its entirety at the December meeting. Council Member Colquitt motioned to adopt the Ordinance, seconded by Council Member Prince and the motioned passed unanimously with a vote of 5-0 (Butler, Hunt, Colquitt, Parham, Prince).

Council Member Hunt introduced the following Resolution for consideration:

RESOLUTION

WHEREAS: There will be a Municipal General Election held on November 5, 2019 to elect a Council Member each from Ward Two and Three; and

WHEREAS: The Official Code of Georgia, annotated, requires the Mayor and Council to set qualifying fees that shall be three percent (3%) of the total compensation received by the officials in the preceding calendar year, which is \$358.00; and

WHEREAS: The Georgia State Election Board, Sections 21-2-380.1, instructs the Governing authority of each municipality to appoint and certify the appointment of an Election Superintendent/Absentee Ballot Clerk to the Secretary of State's Office; and

WHEREAS: The governing authority shall designate the City Clerk as Election Superintendent/Absentee Ballot Clerk; and

NOW, THEREFORE BE IT RESOLVED, and it is hereby resolved that the Mayor and Council of the City of Elberton do hereby issue a call for a Municipal General Election to be held on November 5, 2019, which will be conducted under the Georgia Code as amended, and that the qualifying fee for the office of Council Member from Ward 2 and Ward 3 is set at \$358.00.

BE IT FURTHER RESOLVED by the Mayor and Council of the City of Elberton hereby appoints the City Clerk, Cindy D. Churney, as Elections Superintendent/Absentee Ballot Clerk as required by the Georgia State Election Board.

City Manager Dunn read the Resolution in its entirety. Council Member Hunt motioned to motioned to adopt the Resolution as read, seconded by Council Member Prince and the motioned passed unanimously with a vote of 5-0 (Butler, Hunt, Colquitt, Parham, Prince).

Council Member Colquitt introduced the following Resolution for consideration:

RESOLUTION

WHEREAS: On December 3, 2018, the Mayor and Council of the City of Elberton declared two parcels of property surplus to be returned to the County tax roles for a higher and better use; and

WHEREAS: Parcel 1 more particularly described as the dead end of Bartlett Street, approximately 0.08 acre, more or less and bounded by CSX railroad on the north; and

WHEREAS: Parcel 2 more particularly described as the undeveloped land on Hillcrest Avenue known as Lots 29, 30, 31, and 32 of the Highlands subdivision as recorded with the Elbert County Clerk of Superior Court, Deed Book TT, page 445; and

WHEREAS: The City of Elberton held a bid opening on December 28, 2018 on the properties described above; and

WHEREAS: The bids meet the minimum set by the Mayor and Council on December 3, 2018 as follows for each parcel:

Parcel 1: \$5,500.00, KC Granite, Inc.

Parcel 2: \$8,000.00, Turner Motor Company

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the City of Elberton that the above properties, Parcels 1 and 2, be sold subject to the conditions set by resolution on December 3, 2018 to stipulate the buyer pay closing costs and any survey or plat work, if needed, provided in Section 23 of the Charter of the City of Elberton, which permits the Mayor and Council to take this action.

UNANIMOUSLY ADOPTED at the Regular Meeting of the Mayor and Council on January 7, 2019.

City Manager Dunn read the Resolution in its entirety. Council Member Colquitt motioned to motioned to adopt the Resolution as read, seconded by Council Member Parham and the motioned passed unanimously with a vote of 5-0 (Butler, Hunt, Colquitt, Parham, Prince).

Council Member Prince introduced the following Resolution for consideration:

RESOLUTION

A RESOLUTION OF THE CITY OF ELBERTON, GEORGIA APPROVING AND AUTHORIZING EXECUTION, BY THE MAYOR OF THE CITY OF ELBERTON, OF AN INTERGOVERNMENTAL AGREEMENT AMONG ELBERT COUNTY, THE CITY OF ELBERTON, AND THE CITY OF BOWMAN CONCERNING A ONE PERCENT 2019 TRANSPORTATION SPECIAL PURPOSE LOCAL OPTION SALES AND USE TAX ENACTED PUSUANT TO O.C.G.A. 48-8-260 ET SEQ; REPEALING PRIOR RESOLUTIONS IN CONFLICT; AND FOR OTHER PURPOSES.

WHEREAS: O.C.G.A. 48-8-260 et seq. authorizes the imposition of a one percent Special District Mass Transportation Sales and Use Tax (T-SPLOST) for the purposes of financing capital outlay projects for transportation purposes for the use and benefit of the County and qualified municipalities within the County; and

WHEREAS: Elbert County, Georgia, the City of Elberton, Georgia, and the City of Bowman, Georgia desire to utilize the proceeds of a T-SPLOST for the one or more of the purposes authorized under O.C.G.A. 48-8-230 et seq.

NOW, THEREFORE BE IT RESOLVED AND IT IS HEREBY RESOLVED by the Mayor and City Council of the City of Elberton, Georgia as follows:

SECTION 1. The attached intergovernmental agreement addressing the disbursement of T-SPLOST proceeds among Elbert County, the City of Elberton, Georgia, and the City of Bowman, Georgia, and other related matters is hereby approved.

SECTION 2. The Mayor of the City of Elberton is authorized to execute the intergovernmental agreement on behalf of the City of Elberton, and the City Clerk is authorized to affix the seal of the City thereto.

SECTION 3. All resolutions, or parts of resolutions, in conflict herewith are repealed.

City Manager Dunn read the Resolution in its entirety. Council Member Prince motioned to motioned to adopt the Resolution as read, seconded by Council Member Colquitt and the motioned passed unanimously with a vote of 5-0 (Butler, Hunt, Colquitt, Parham, Prince).

Council Member Colquitt introduced the following Resolution for consideration:

RESOLUTION

WHEREAS, the City of Elberton, Georgia has adopted a comprehensive zoning ordinance for which compliance is mandated in accordance with applicable provisions of the ordinances of the City of Elberton and Georgia law; and

WHEREAS, in connection with an Urban Redevelopment Project in the 1960's whereby substantial real estate was acquired for redevelopment purposes and subsequently made available to members of the general public through deeds from the City of Elberton which included certain restrictive covenants; and

WHEREAS, subsequently, the City of Elberton has adopted a comprehensive zoning ordinance which is applicable to the properties involved in the Urban Redevelopment Project; and

WHEREAS, because the covenants located in various deeds issued by the City of Elberton to different corporations and individuals may create some confusion and/or conflict in interpreting the precise requirements for continued development and redevelopment of properties subject to said covenants; and

WHEREAS, the purpose of the comprehensive zoning ordinance adopted by the City of Elberton was, in part, to supersede and replace covenants previously imposed on properties by the City of Elberton acting through the Urban Renewal Authority in the 1960's and 1970's;

NOW, THEREFORE, the City of Elberton acting through the Mayor and Council hereby resolves that the above-referenced covenants recorded in the Superior Court of Elbert County are set aside and replaced in accordance with the zoning ordinances adopted by and made the basis for development and redevelopment in the affected areas in the City of Elberton, Georgia.

SO RESOLVED. This 7th day of January, 2019.

City Manager Dunn read the Resolution in its entirety. Council Member Colquitt motioned to motioned to adopt the Resolution as read, seconded by Council Member Parham and the motioned passed unanimously with a vote of 5-0 (Butler, Hunt, Colquitt, Parham, Prince).

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

1. Approved the expenditures that exceed the city manager's purchasing authority.

City Manager Dunn presented the following reports:

- Financial Report ending November 30, 2018
- Monthly report on the activities of various departments

Matters to be presented by the City Attorney:

- Dilapidated housing report.
- City Attorney Jenkins introduced Chris Dyal who has joined his law firm. Council welcomed Mr. Dyal back to Elberton.

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