

## **MINUTES**

### **FORSYTH CITY COUNCIL MEETING**

**MAY 4, 2010**

#### **CALL TO ORDER AND INVOCATION**

Mayor Howard called the meeting to order at 7:00 PM. Mr. Calloway gave the invocation.

#### **ROLL CALL**

Present for the meeting was Mayor Tye Howard, Councilmembers Mike Dodd, Jo Anna Banks, James Calloway, Desi Hansford, Eric Wilson, and Melvin Lawrence. Also present was City Administrator, Greg Popham; and City Clerk, Janice Hall. City Attorney, Bobby Melton, was not present for the meeting.

#### **APPROVAL OF MINUTES OF THE APRIL 20, 2010 COUNCIL MEETING**

Mr. Wilson offered a motion to approve the minutes of the April 20, 2010 council meeting as written. Seconded by Mr. Lawrence, the motion carried unanimously.

#### **APPROVAL OF REQUEST FROM BETTER HOMETOWN TO CLOSE JACKSON STREET FOR THE 2010 EVENT SERIES**

Mrs. Laurie Pippin, BHT Director, reviewed the 2010 Event Series and requested permission to close Jackson Street from Main Street to Johnston Street for the four events being held on the square. Mrs. Banks offered a motion to approve the street closure. Seconded by Mr. Calloway, the motion carried unanimously.

#### **PUBLIC HEARING TO CONSIDER VARIANCES REQUESTED BY ALLEN INDUSTRIES INC. ON BEHALF OF FAMILY DOLLAR STORES CORPORATION REQUESTING APPROVAL FOR A WALL SIGN AND POLE SIGN AT 173 N. LEE STREET**

Mayor Howard opened the public hearing for comments for or against the approval of the variance request received from Allen Industries, Incorporated on behalf of Family Dollar to have an illuminated wall sign on the face of the building and a pole sign. Mrs. Hall reviewed that the Planning & Zoning Commission recommends approval of the variance to allow an illuminated wall sign and to deny the pole sign request. Mr. Mike Swain, representative of Allen Industries, requested that the illuminated wall sign be approved since the other two businesses in the shopping center both have illuminated

wall signs. Mr. Swain stated they are okay with the denial of the pole sign and that they are working with the owner of the existing monument sign for the center to add their sign to the monument sign. Hearing no further comments, Mayor Howard closed the public hearing. Mr. Calloway offered a motion to approve the variance request for the illuminated wall sign and deny the variance request for the pole sign. Mr. Hansford seconded the motion. Mrs. Banks requested that council consider the backlighting of the sign as the corridor overlay prohibits that. Mrs. Banks requested that council follow the sign ordinance and deny the backlighting of the sign. Mrs. Banks stated that the sign can be lit just not backlit. Mayor Howard stated that Planning & Zoning recommended approval with the backlighting as the other businesses in the shopping center have back lighting and the building is set back off the main road. Mr. Swain stated that they are compromising to not do the pole sign and requests the backlighting be approved. Mrs. Banks stated that the over lighting would be more eye catching and is they are pursuing space on the monument sign. Mr. Swain stated that they are not guaranteed a space on the monument sign and need signage by the roadway. Mr. Dodd stated that council is not anti-business just trying to clean-up the signage and make sure that Lee Street looks better. Mr. Hansford stated that council has to start somewhere but not sure if this is the location to start with. The vote on the motion was three (3) for (Calloway, Hansford, Wilson), two (2) against (Dodd and Banks), and one (1) abstention (Lawrence) therefore, Mayor Howard voted in the affirmative and the motion carried with four (4) votes.

**PUBLIC HEARING TO CONSIDER A VARIANCE REQUESTED BY NATHANIEL FREEMAN TO OPERATE AN AUTOMOBILE REPAIR CENTER AT 173 M.L.K. JR. DRIVE WHICH IS ZONED NEIGHBORHOOD SHOPPING**

Mayor Howard opened the public hearing for comments for or against the approval of a variance request received from Mr. Nathaniel Freeman to operate an automobile repair center at 173 M.L.K., Jr. Drive. Mrs. Hall stated that Planning & Zoning Commission recommends approval of the variance request. Mrs. Hall stated that the automobile repair center is not permitted in the Neighborhood Shopping District; therefore, Mr. Freeman submitted the variance request. Mrs. Hall stated that Mr. Freeman was granted an Auto Title Pawn business license as that is a permitted business in the NS Zone. Mrs. Hall stated that Mr. Freeman previously had a used car business at

this location but has closed that business. Hearing no further comments, Mayor Howard closed the public hearing. Mr. Dodd offered a motion to approve the variance request to allow an Automobile Repair Center at 173 M.L.K. Jr. Drive. Seconded by Mr. Calloway, the motion carried unanimously.

**APPROVAL TO ADVERTISE THE APPLICATION FOR REZONING REQUESTED BY THE MONROE COUNTY DEVELOPMENT AUTHORITY FROM R-3 AND HB TO M-I ZONING FOR A BUSINESS PARK TO BE LOCATED ON INDIAN SPRINGS DRIVE AT THE INDIAN SPRINGS STATION SUBDIVISION**

Mrs. Hall pointed out that all previous discussions had referred to the requested zoning as M-1; however, the correct zone is M-I Zone. Mrs. Banks offered a motion to advertise the rezoning of the property as requested by the Monroe County Development Authority. Seconded by Mr. Dodd, the motion carried unanimously.

**APPROVAL TO ADVERTISE A VARIANCE APPLICATION RECEIVED FROM MONROE COUNTY COMMISSIONERS FOR THE PROPERTY LOCATED BETWEEN 60 & 71 W. CHAMBERS STREET – F27 045 – TO REDUCE THE SETBACK AND NATURAL BUFFER REQUIREMENTS FROM 60 FEET TO 25 FEET WITH A PRIVACY FENCE AND PLANTED BUFFER**

Mr. Wilson offered a motion to advertise the variance application to reduce the setback requirements received from Monroe County Commissioners for the construction of a new Clubhouse. Seconded by Mr. Lawrence, the motion carried unanimously.

**DESIGNATION OF VOTING DELEGATE FOR ANNUAL BUSINESS MEETING AT THE GMA CONVENTION IN JUNE**

Mr. Dodd offered a motion to designate Mr. Hansford as the voting delegate at the GMA Annual Convention. Seconded by Mrs. Banks, the motion carried with five (5) votes for (Dodd, Banks, Calloway, Wilson, and Lawrence) and one abstention (Hansford).

**CITY ADMINISTRATOR REPORT**

Mr. Popham offered the following report:

Streetscape – The contractor information has been forwarded to DOT for review and approval and Mr. Popham hopes to have their approval back tomorrow to be able to move forward.

Land & Water Pre-Application – The pre-application was submitted on time and will be a 51/49 match for the restoration of Kynette Park.

GEFA Loan Pre-Application – the pre-application was submitted on time for the smart meter system.

MEAG End-of-Year Settlement – we received \$196,709 from MEAG for the end-of-year settlement and Mr. Popham recommended placing this money in the Municipal Competitive Trust short-term portfolio.

MEAG Telecommunication End-of-Year Settlement – we received \$61,977 from MEAG Telecommunications. MEAG purchased bonds so there is no need for a Debt Service Reserve Fund with MEAG. Mr. Popham recommended placing this money in the Municipal Competitive Trust short-term portfolio.

CATV Debt Service Reserve Fund – Mr. Popham reported that the final resolution on the Cable Debt Service Reserve Fund is complete and stated that we have an excess of \$174,695 in the fund. Mr. Popham stated that this money will be returned by transfer to the Sinking Fund to use as principle and interest payments.

Capital Improvement Plan and Employee Performance Evaluations – Mr. Popham stated that he and the department heads will be working on a 7-year capital improvement plan for each department and once those are compiled, they will be presented to the respective committee. Mr. Popham stated that the department heads are also working on employee evaluation procedures and forms.

## **COMMITTEE REPORTS**

### **MR. LAWRENCE**

Mr. Lawrence reviewed invoices totaling over \$500 for each vendor and offered a motion to approve the public works department committee totals of \$7,297.59. Seconded by Mr. Wilson, the motion carried unanimously.

Mr. Lawrence reported that the public works department will be advertising to hire two new employees in the department.

Mr. Lawrence reported that the James Street Project is on schedule; the landfill cap repair work continues; and road repairs will begin soon and the first road to be repaired will be Milledge Circle.

**MR. WILSON**

Mr. Wilson offered a motion to approve the parks & recreation department committee totals of \$12.55 and the cemetery department committee totals of \$115.49. Seconded by Mr. Calloway, the motion carried unanimously.

Mr. Wilson stated that the tennis courts at Country Club Park have been locked due to large cracks in the floor. Mr. Wilson stated that Mrs. Rosemary Walker is working on the schedule for the summer camps and should have that complete by the end of next week.

**MR. HANSFORD**

Mr. Hansford reviewed invoices totaling over \$500 for each vendor and offered a motion to approve the administrative department committee totals of \$2,694.70 and the telecommunications department committee totals of \$6,350.17. Seconded by Mr. Wilson, the motion carried unanimously.

Mr. Hansford stated that the telecommunications committee will meet soon to discuss the needed increase in the bandwidth. Mr. Hansford stated that the administrative committee will also be meeting soon.

**MR. CALLOWAY**

Mr. Calloway reviewed invoices totaling over \$500 for each vendor and offered a motion to approve the fire department committee totals of \$925.44 and the police department committee totals of \$5,406.77. Seconded by Mr. Dodd, the motion carried unanimously.

Mr. Calloway thanked the Mayor and the search committee for their work in reviewing the applications/resumes for Police Chief. Mr. Calloway offered a motion from the Public Safety Committee to hire Mr. Keith Corley, of Forsyth, as the new Police Chief. Seconded by Mr. Dodd, the motion carried unanimously. Mr. Calloway stated that everyone looks forward to working with Mr. Corley.

**MRS. BANKS**

Mrs. Banks reviewed invoices totaling over \$500 for each vendor and offered a motion to approve the public affairs committee totals of \$1,887.81. Seconded by Mr. Calloway, the motion carried unanimously.

Mr. Banks offered a motion from the Public Affairs Committee to appoint Mr. Ken Bowman to the vacancy on the DDA Board left by Mr. Vince Williams's resignation. Seconded by Mr. Dodd, the motion carried unanimously. Mr. Bowman is the owner of the KOA Campground.

Mrs. Banks stated that the Memorandum of Agreement between the City and the Middle Georgia Regional Commission will be reviewed at the next public affairs committee meeting.

Mrs. Banks stated that May 6<sup>th</sup> is the National Day of Pray and the GMA Listening Session and requested that council have representatives present at both events.

**MR. DODD**

Mr. Dodd reviewed invoices totaling over \$500 for each vendor and offered a motion to approve the electric department committee totals of \$10,276.09 and the water department committee totals of \$6,150.91. Seconded by Mrs. Banks, the motion carried unanimously.

Mr. Dodd stated that the Public Utilities Committee will meet before the May 12<sup>th</sup> deadline on the MEAG End-Of-Year Settlement to determine the appropriate depositing of the funds.

There being no further business to discuss, the meeting was adjourned at 8:00 PM.

Submitted by:

Janice L. Hall, City Clerk