

## **MINUTES**

### **FORSYTH CITY COUNCIL MEETING**

**JUNE 1, 2010**

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

Mayor Howard called the meeting to order at 7:00 PM. Mr. Lawrence 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 Attorney, Bobby Melton; City Administrator, Greg Popham; and City Clerk, Janice Hall.

#### **APPROVAL OF MINUTES OF THE MAY 18, 2010 COUNCIL MEETING**

Mrs. Banks offered a motion to approve the minutes of the May 18, 2010 council meeting as written. Seconded by Mr. Lawrence, the motion carried unanimously.

#### **APPROVAL OF MEMORANDUM OF AGREEMENT BETWEEN THE MIDDLE GEORGIA REGIONAL COMMISSION AND THE CITY FOR SPECIALIZED SERVICES**

Mr. Popham reviewed the Memorandum of Agreement (MOA) between the Middle Georgia Regional Commission (MGRC) and the City. Mr. Popham stated that the MGRC will provide assistance in specialized areas such as personnel, zoning, and annexation. Mr. Popham stated that this MOA was budgeted for 2010 but the agreement has not been approved due to the Mayor's request to reduce the budget. Mr. Popham stated that the MGRC will provide staff for 1 to 2 days per week at a cost of \$1,500 per month. Mr. Hansford offered a motion to approve the MOA with the MGRC at a cost of \$1,500 per month. Mrs. Banks seconded the motion and stated that as a former City employee and former DCA employee she has worked very closely with the MGRC and has very high regard for the organization and their expertise. Mr. Wilson asked if the MGRC offers this service to other cities/counties and Mrs. Banks stated that they do. Mr. Wilson asked if staff would be set aside to handle our projects. Mr. Popham stated that they would not set aside staff but would guarantee that a staff person would be available 1 to 2 days per week with expertise in whatever project we were currently working on. Mayor Howard stated that Mr. Ralph Nix, MGRC, is eager to get this project underway so that he can use us as an example to other entities of what can be accomplished. Mr. Wilson asked how their time would be scheduled and Mr. Popham stated that it would be through him with input from council. Mr. Lawrence asked what happens when we run out of projects and Mr. Popham stated that this is very unlikely but there is a 30-day cancellation clause. There was discussion concerning the specific projects

listed in the MOA and that additional projects can and will be added. The motion failed with two (2) for (Dodd and Calloway) and four (4) against (Banks, Hansford, Wilson, and Lawrence). Mr. Hansford offered a motion to approve the MOA with the MGRC to commence in June 2010 with the stipulation that definitive work schedule by days be written into the agreement. Seconded by Mr. Lawrence, the motion carried unanimously.

**APPROVAL OF RESOLUTION FOR APPOINTMENT OF VOTING DELEGATE AND ALTERNATE VOTING DELEGATE FOR MEAG ANNUAL CONFERENCE**

Mr. Wilson offered a motion to nominate Mr. Dodd as the voting delegate and Mr. Hansford as the alternate voting delegate for the MEAG annual conference. Seconded by Mr. Calloway, the motion carried with five (5) votes for (Banks, Calloway, Hansford, Wilson, and Lawrence) and one (1) abstention (Dodd).

**PUBLIC HEARING FOR CONSIDERATION OF APPLICATION FOR REZONING REQUEST FROM THE MONROE COUNTY DEVELOPMENT AUTHORITY FOR THE INDIAN SPRINGS BUSINESS PARK (FORMERLY INDIAN SPRINGS STATION) LOCATED ON INDIAN SPRINGS ROAD FROM R-3 AND HB TO M-I**

Mayor Howard opened the public hearing for comments for or against the approval for rezoning of the former Indian Springs Station property from R-3 and HB to M-I. Mr. Melton reviewed the application and stated that this matter first came before council on May 4<sup>th</sup>; was heard and approval recommended by the Planning & Zoning Board on April 26<sup>th</sup>; and was properly advertised in the May 12<sup>th</sup>, 19<sup>th</sup>, and 26<sup>th</sup> issues of the Reporter. Mr. Melton stated that there are three (3) issues that he would like to point out, 1) The Development Authority is requesting that the rezoning be contingent upon the property closing on August 1<sup>st</sup>; 2) A notice from DCA regarding the DRI has been received stating that the DRI is not complete and a local government cannot take action until the DRI is complete; and 3) Mr. Melton represents the City and his partner, Charlie Haygood, represents the Development Authority, there is no conflict but wanted to point this out as a matter of record. Mr. Melton stated that a request has been received from the Development Authority to rezone Indian Springs Station property, which consists of 113 acres, from R-3 and HB to M-I with permitted uses specified by the Development Authority. The name of the property will be changed to Indian Springs Business Park. Mrs. Tiffany Andrews, President of the Development Authority, came before council and stated that the project has been presented to council at previous meetings and if council so wishes she can review the project again or just answer any questions that council may have. Mrs. Andrews stated that the DRI is in the 2<sup>nd</sup> Phase which could take up to 60 days to complete. Mrs. Andrews stated that they will have to ask for an extension on the closing due to this new timeframe, so the closing will be

August 17<sup>th</sup> rather than August 1<sup>st</sup>. Mrs. Banks asked if any thought had been given to designate the property as an Opportunity Zone and Mrs. Andrews stated that this has been looked at and she is currently working with the MGRC on that issue. Mrs. Andrews requested approval to rezone the property to M-I contingent upon the DRI completion and the closing on August 17<sup>th</sup>. Hearing no further comments for or against the matter, Mayor Howard closed the public hearing. Mr. Dodd offered a motion to approve the rezoning of Indian Springs Station property from R-3 and HB to M-I with the stipulations that the Monroe County Development Authority agree to bear all costs of converting the property from residential to light industrial/commercial, including but not limited to water, sewer (including the lift station serving the tract), streets, and storm water systems and that all work must be inspected and approved by the City before acceptance into the City service. Seconded by Mr. Calloway, the motion carried unanimously. Mrs. Andrews stated that she would have to take the stipulations to her board for approval.

**PUBLIC HEARING FOR CONSIDERATION OF VARIANCE APPLICATION REQUEST FROM MONROE COUNTY COMMISSIONERS FOR THE PROPERTY LOCATED BETWEEN 60 & 71 WEST CHAMBERS STREET FOR SETBACK REQUIREMENTS AND PRIVACY FENCE**

Mayor Howard opened the public hearing for comments for or against the approval of the variance request from the Monroe County Commissioners regarding setbacks for the Clubhouse property. Mr. Melton reviewed the application and stated that this matter first came before council on May 4<sup>th</sup>; was heard and approval recommended by the Planning & Zoning Board on April 26<sup>th</sup>; and was properly advertised in the May 12<sup>th</sup>, 19<sup>th</sup>, and 26<sup>th</sup> issues of the Reporter. Mr. Melton stated that the current zoning of the property is HB and that will remain unchanged. Mr. Melton stated that the variance request is to reduce the setback from 60' to 25' with a privacy fence and planted buffer. Mr. Don Carter, engineer for the project, reviewed drawings showing the location of the new Clubhouse building. Mr. Carter stated that the Clubhouse is being moved to make room for the new administrative building. Mr. Carter reviewed the requested 25' setback stating that the required 60' setback would deem the property unusable, and stated that there is an existing fence on the property, and a staggered row, planted buffer will be put in after the building is completed. Mr. Carter stated that vinyl coated chain link fence will be installed across the front of the property. Mr. Carter stated that the building will be 3,700 square foot. Mr. James Vaughn, Monroe County Commission Chairman, came before council and stated that this will be a minor change as far as the ordinance but a major change to the area. Mr. Vaughn stated that this is a necessary step in the building of the new administrative building. Hearing no further comments for or against the matter, Mayor Howard closed the public hearing. Mr. Wilson

offered a motion to approve the variance to allow a 25' planted buffer between the new Clubhouse building and the property line which abuts a TND Zone. Seconded by Mr. Calloway, the motion carried with five (5) votes for (Banks, Calloway, Hansford, Wilson, and Lawrence) and one (1) abstention (Dodd who sold the property to the County).

**CONSIDERATION OF RECOMMENDATION FROM THE CITY DDA REQUESTING THAT COUNCIL TURN THE PUBLIC SAFETY PARKING LOT PROJECT OVER TO DDA FOR COMPLETION**

Mrs. Banks reviewed the recommendation and stated that money is set aside in the SPLOST for parking. Mrs. Banks reviewed the benefits of turning the project over to the DDA for completion. Mrs. Banks stated that the DDA is also applying for a USDA Grant to assist with funding a parking lot project. Mrs. Banks offered a motion to accept the recommendation from the DDA and turn the Public Safety parking lot project over to the DDA for completion. Mr. Hansford seconded the motion. Mrs. Hall stated that plans were drawn several years ago for a fully landscaped parking lot and the project was bid out but due to budget restraints was never begun. Mr. Wilson stated that a basketball court needs to be incorporated into the parking lot. Mr. Popham reviewed the benefits of incorporating a court into the parking lot. Mrs. Banks amended her motion to include the incorporation of a basketball court into the parking lot. Mr. Hansford seconded the amended motion and it carried unanimously.

**REVIEW OF REQUEST FROM CITY DDA REGARDING THE BRICK SALES FOR THE LEE STREET PARK AND PROMOTION OF THE CITY CABLE SERVICE**

Mrs. Banks reviewed the request from the DDA regarding the brick sales for the Lee Street Park. Mrs. Banks stated that the DDA felt that additional sales could be made if the sale was extended. Mrs. Banks stated that engraved bricks can be purchased through June 15<sup>th</sup> through the DDA/BHT. Mrs. Banks offered a motion in support of the DDA extending the brick sale through June 15<sup>th</sup> and advertising the sale on the city sponsored advertising venues. Seconded by Mr. Calloway, the motion carried unanimously.

Mrs. Banks stated that the DDA has also discussed showing support for the downtown businesses during the Streetscape Project and would like to offer free advertisement on the Cable Ad channel. Mayor Howard stated that signage also needs to be purchased to place on the street corners stating that the businesses are open during construction. Mr. Melton stated that the City does not need to offer free services but can offer contractual services. Mrs. Banks offered a motion to contract with the businesses affected by the Streetscape Project to provide advertising spots on the Cable Ad channel in exchange for support of the project. Seconded by Mr.

Hansford, the motion carried with five (5) votes for (Dodd, Banks, Calloway, Hansford, and Lawrence) and one (1) abstention (Wilson who owns a business on the square).

**ACCEPTANCE OF SANITARY SEWER EASEMENT & UTILITY EASEMENT, AND TERMINATION OF PRIOR EASEMENTS FOR NEW WAL-MART PROPERTY**

Mr. Melton reviewed the request stating that this is for acceptance of the easement for the sanitary sewer and utility easements for the new Wal-Mart building and termination of the old easements no longer required. Mr. Melton stated that the utility department requires the red-lined as-built drawings which have not been received. Mr. Melton suggested acceptance contingent upon receipt and approval of the redlined as-built drawings and termination of the old easements at that time. Mr. Hansford offered a motion to accept the sewer and utility easements and terminate the old easements contingent upon the required drawings being received and approved by the utility department. Seconded by Mr. Lawrence, the motion carried with five (5) votes for (Banks, Calloway, Hansford, Wilson, and Lawrence) and one (1) abstention (Dodd who abstained because he knew nothing of the easement request).

**CITY ADMINISTRATOR REPORT**

- Mr. Popham offered the following report:
- Staff is putting together an inventory for dilapidated houses and signs and developing notices for property owners. This inventory should be complete in 7 to 10 days.
  - Work continues on a 7-year capital improvement plan with \$4,000 being used as the threshold.
  - Streetscape Project – still waiting on approval on the federal level to release the contract.
  - Juliette Commons – Planning & Zoning Commission heard a variance request for overhead power in the subdivision. A public hearing for P&Z will be held at their June meeting. The P&Z Commission asked the Central Georgia EMC representative to look at alternatives rather than overhead power. Mr. Dodd stated that the Public Utilities Committee needs to be included in the meetings.

**COMMITTEE REPORTS**

**MR. DODD**

Mr. Dodd reviewed invoices totaling over \$500 for each vendor and offered a motion to approve the electric department committee totals of \$7,120.61 and the water department committee totals of \$6,121. Seconded by Mr. Hansford, the motion carried with five (5) votes for (Dodd, Calloway, Hansford, Wilson, and Lawrence) and one (1) abstention (Banks who is related to one of the vendors).

**MRS. BANKS**

Mrs. Banks reviewed invoices totaling over \$500 for each vendor and offered a motion to approve the public affairs committee totals of \$3,641.45. Mr. Calloway seconded the motion. Mr. Wilson stated that the fireworks event needs to be discussed before next year to see if the event can be held in the city or have a different event in the city. The motion carried with five (5) votes for (Dodd, Banks, Calloway, Hansford, and Lawrence) and one (1) against (Wilson).

**MR. CALLOWAY**

Mr. Calloway reviewed invoices totaling over \$500 for each vendor and offered a motion to approve the fire department committee totals of \$673.03 and the police department committee totals of \$1,284.19. Seconded by Mr. Wilson, the motion carried unanimously.

Mr. Calloway offered congratulations to Chief Corley on his first day on the job as the Police Chief.

Mr. Calloway asked Fire Chief Walter Carter to come forward and recognize two of his firefighters. Chief Carter stated that the Georgia/NPQ1 Basic Firefighting course was originally 120 hour course and is now a 320 hour course which is both physically and mentally demanding. Chief Carter stated that Jason Thomas and Kyle Greene both recently completed this course. Chief Carter thanked the firefighters for their enthusiasm on the job and also thanked Mayor and Council for their support of the department and for making training a possibility. Everyone congratulated the firefighters.

**MR. HANSFORD**

Mr. Hansford reviewed invoices totaling over \$500 for each vendor and offered a motion to approve the administrative department committee totals of \$4,376.69; the court department committee totals of \$174.64; and the cable department committee totals of \$542.24. Seconded by Mr. Wilson, the motion carried unanimously.

**MR. WILSON**

Mr. Wilson offered a motion to approve the cemetery department committee totals of \$147.76. Seconded by Mr. Calloway, the motion carried unanimously.

Mr. Wilson reminded everyone of the regularly scheduled parks, recreation, and cemetery meeting next Wednesday at noon.

Mr. Wilson reviewed the meeting held with a swimming pool contractor and the response received back from the contractor after the meeting showing possibilities for our park.

Mrs. Banks stated that the canopies at the Milledge Circle and Hill Street parks need to be repaired or replaced. Mr. Wilson stated that they are being looked at.

**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 \$4,117.57. Seconded by Mr. Calloway, the motion carried unanimously.

Mr. Lawrence offered condolences from the City to Mr. Wendell Davis' family. Mr. Davis was a city employee and passed away this weekend.

Mr. Lawrence stated that the backhoe crew will be working their way around the city doing road repairs but they are working on a schedule and not jumping around from one area to another area.

Mr. Lawrence reported that Parson Street has been resurfaced by the LARP program.

Mr. Dodd stated that the parallel parking spaces on Main Street were not restriped when DOT resurfaced that roadway and it is causing problems with parking. Mr. Lawrence stated that he would look into the city temporarily striping the spaces until DOT completes the resurfacing project after Streetscape is complete.

**ADDITIONAL NEW BUSINESS**

Mayor Howard stated that the next BHT event will be this Friday.

Mayor Howard reported that the Save the Children summer camps will begin June 7<sup>th</sup>.

Mr. Dodd offered a motion to adjourn into executive session for personnel matters. Seconded by Mr. Hansford, the motion carried unanimously and council adjourned into executive session at 8:25 PM.

Mayor Howard called the meeting back into open session at 9:39 PM and the meeting was adjourned.

Submitted by:

Janice L. Hall, City Clerk