

MINUTES

FORSYTH CITY COUNCIL MEETING

OCTOBER 5, 2010

CALL TO ORDER, PLEDGE OF ALLEGIANCE, AND INVOCATION

Mayor Howard called the meeting to order at 7:00 pm and lead the Pledge of Allegiance. 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 Attorney, Bobby Melton; City Administrator, Greg Popham; and City Clerk, Janice Hall.

APPROVAL OF MINUTES OF THE SEPTEMBER 21, 2010 COUNCIL MEETING

Mr. Dodd offered a motion to approve the minutes of the September 21, 2010 council meeting as written. Seconded by Mr. Lawrence, the motion carried unanimously.

PUBLIC HEARING FOR ABATEMENT PROCEDURE FOR 46 CABINESS ROAD – OWNER ANN WILBORN JACKSON

Mayor Howard stated that Mr. Bentley Cox, City/County Building Inspector, is on the agenda tonight, but has another engagement tonight and has requested that the public hearing be moved up on the agenda. Mr. Dodd offered a motion to amend the agenda to hold the public hearing for 46 Cabiness Road to this place on the agenda. Seconded by Mrs. Banks, the motion carried unanimously to amend the agenda.

Mayor Howard opened the public hearing for comments for or against the abatement procedure for 46 Cabiness Road. Mr. Melton stated that this matter first came before council on September 7, 2010 and reasonable cause was found to proceed with the abatement. Mr. Melton stated that 46 Cabiness Road is listed on the tax maps as F33 020. Mr. Melton stated that this matter has been properly advertised in the September 15th, 22nd, and 29th issues of the Reporter; certified notice was sent to the owner of record, Mrs. Ann Wilborn Jackson and the notice was signed for on September 13, 2010. Mr. Melton stated that he has not received a response from Mrs. Jackson on this matter. Mr. Bentley Cox came before council to present his inspection report. Mr. Cox stated that his

findings show that a 100% rebuild would be necessary for this structure. Mr. Melton asked Mr. Cox if he received a response from Mrs. Jackson or if he had spoken with Mrs. Jackson and Mr. Cox stated that he has not. Mr. Melton asked Mr. Cox if the structure is inhabited and Mr. Cox stated that it is not and no one could live there due to the sanitary conditions of the structure. Mr. Calloway stated that he is glad to see this matter finally being taken care of. Mrs. Banks asked Mr. Cox how the abatement testing would be done and Mr. Cox stated that the laws state that a certified contractor with proper abatement certifications must inspect the structure before any demolition can be done. Hearing no further comments on this matter, Mayor Howard closed the public hearing. Mr. Calloway offered a motion to issue an order finding the property to be defective and a nuisance and an unsafe building so that the repair or demolition of the building to protect safety and welfare of community must be completed within 30 days or the City will move forward with the demolition and place a lien against the property. Seconded by Mr. Wilson, the motion carried unanimously.

PRESENTATION FROM THE FORESTRY COMMISSION TO ARTHUR JACKSON AND MICHAEL LUCEAR FOR ATTENDANCE AT THE TREE MAINTENANCE WORKSHOP

Ms. Jenny Lynn Brunner, Georgia Forestry Commission, made plaque presentations to City employees Arthur Jackson and Michael Lucear for their attendance at the September 15, 2010 Tree Maintenance Workshop.

APPOINTMENT TO TREE BOARD

Mr. Wilson stated that there is a vacancy on the tree board and offered a motion to appoint Mr. Ron Shipman to the board to fill the vacancy. Seconded by Mr. Dodd, the motion carried unanimously.

APPROVAL AND PRESENTATION OF PROCLAMATION FOR NATIONAL BREAST CANCER AWARENESS MONTH

Mrs. Banks offered a motion to approve the proclamation for National Breast Cancer Awareness Month. Seconded by Mr. Hansford, the motion carried unanimously. Mayor Howard read the proclamation and presented it to Mrs. Beth Chafin who was in attendance to accept the proclamation. Mrs. Chafin stated that they hope to paint the city pink for the month of October.

APPROVAL OF AMENDMENT TO THE SUPPLEMENTAL POWER PURCHASE AGREEMENT WITH MEAG

Mr. Popham reviewed the amendment and stated that all MEAG cities must approve the amendment before MEAG can move forward. Mr. Dodd stated that we would only pay if we use peak power. Mr. Dodd offered a motion to approve the amendment to the Supplemental Power Purchase Agreement with MEAG. Seconded by Mr. Calloway, the motion carried unanimously.

APPROVAL OF CHANGE ORDERS FROM JHC ON STREETScape PROJECT

Mr. Lawrence stated that the change orders were discussed in detail at the work session tonight. Mr. Lawrence offered a motion to approve change orders #1, and #4-#6 for a total of \$13,863.81. Mrs. Banks seconded the motion. Mr. Wilson stated that these change orders increase the number of days on the project by 31 days and Mr. Dodd stated that those are man days not additional days on the project. The motion carried unanimously.

ADOPTION OF RESOLUTION ACCEPTING THE TERMS OF THE LAND & WATER CONSERVATION FUND GRANT

Mr. Popham reviewed the application for the Land & Water Conservation Fund Grant stating that it is a 50/50 grant and is earmarked for the redevelopment of Kynette Park. Mr. Calloway offered a motion to adopt the Resolution accepting the terms of the grant. Mr. Wilson seconded the motion. Mrs. Banks stated that this area is part of the Urban Redevelopment Plan and will help to get the area redeveloped. The motion carried unanimously.

WILLIAM ARTHUR CALLOWAY – RECREATION

Mr. William Arthur Calloway came before council to discuss several issues relating to recreation. Mr. William Arthur Calloway asked what the \$7,000 approved to pay to UGA at the last council meeting was for. Mr. William Arthur Calloway stated that the kids need something to play on. Mr. William Arthur Calloway stated that equipment at all four parks is broken and/or missing and that all of the parks need to be kept up and activities should be held at the parks. Mr. Wilson agreed with Mr. Calloway that the parks should be kept up and that there is no excuse for them not to be. Mr. Wilson

explained that the \$7,000 to UGA was for a study to connect all the greenspace within the city and this is being done by UGA because they have the staff and resources to help us with the connection. Mr. Wilson stated that we have a long way to go and need to get a maintenance crew working on the parks. Mr. Wilson invited all citizens to attend the monthly committee meetings held on the 2nd Wednesday of each month at noon. Mr. William Arthur Calloway stated that he works and cannot attend noon meetings. Mr. William Arthur Calloway stated that the \$7,000 could have fixed the problems at all of the parks and that no matter how much money is spent on the parks, if they are not kept up it is a waste of money. Mr. Popham stated that we have 2 vehicles dedicated to the parks. Mr. Wilson stated that he will start making weekly visits to all the parks. Mrs. Banks stated that maintenance is key. Mayor Howard stated that most of the money spent in the parks is for repairs for damage and that the more the parks are used by the public the more they will be maintained.

CITY ADMINISTRATOR REPORT

Mr. Popham offered the following report:

- Charter gives the city administrator the responsibility of making financial report of the City. Mr. Popham reviewed that at this time last year there was \$753,000 in the bank account and this year we have \$1,023,000. Mr. Hansford stated that everyone has been very prudent on their spending this year.
- Power Cost Adjustment – Mr. Popham reviewed that council approved a 1/2¢ increase in the power cost adjustment last year. Mr. Popham stated that the PCA has generated over \$1 million so far this year which is almost \$300,000 more than at the same time last year. Mr. Popham stated that this allows the city to maintain cost without using any reserves.
- HUD Grant assessment should be completed by October 14, 2010 for the \$343,000 grant for Tift College.
- Working with City Attorney and public affairs committee on several other condemnations and also on annexation. Need a 1990 census map to work on the annexations but so far one does not exist.
- A performance evaluation system will be in place by the end of November for all employees – all department heads will develop the system and forms to be used

- Beginning work on the 2011 budget and hopes to have ready for presentation to council by end of October.
- Verifying references for the architects on the water park concept drawings
- CATV report has been provided to the telecommunications committee
- Working with the public works committee on the methane extraction system.

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 \$9,387.92 and the water department committee totals of \$59,166.55. Seconded by Mr. Hansford, the motion carried unanimously.

Mr. Dodd stated that several areas had stained water problems last week and this was due to several factors such as the sudden change in temperature caused the lake to turn over, a line break on the square, and a high manganese count in the reservoir. Mr. Dodd stated that the city has not thoroughly flushed all lines throughout the city in seven years due to the amount of water it takes to do this type of flushing. Mr. Dodd stated that Utility Partners is planning a systematic high pressure flush of the entire system. This flushing should help alleviate sediment in the lines. Mr. Dodd stated that we will notify the public by notices in utility bills and notices in the Reporter as they progress throughout the city doing the flushing.

Mr. Dodd asked Mr. Popham for an update on the water withdrawal permit. Mr. Popham stated that we are waiting on the 7Q10 form from EPD. Mr. Dodd stated that he is concerned about the permit and the timeliness of upgrading the Boxankle Plant. Mr. Popham stated that the 7Q10 form is for the renewal of the existing withdrawal permits and he will have to contact Mr. Elmo Richardson for an update on the new withdrawal permits. Mr. Dodd stated that he is concerned about engineering study for Boxankle Plant being done before the withdrawal permit for the Towaliga is approved.

Mr. Dodd stated that the utility committee will meet soon to review the water sales agreement with Monroe County and stated that this was on the work shop agenda for today but time did not allow this matter to be discussed. Mr. Dodd stated that we need to renegotiate the agreement with the County before moving forward on any county

projects. Mr. Dodd stated that we need to make sure we are covering our costs. Mrs. Banks stated that this needs to be addressed as soon as possible to resolve any issues with the county. Mayor Howard stated that the county is aware of the need to renegotiate the agreement.

MRS. BANKS

Mrs. Banks reviewed invoices totaling over \$500 for each vendor and offered a motion to approve the public affairs committee totals of \$1,265.17. Seconded by Mr. Calloway, the motion carried unanimously.

Mrs. Banks stated that the public affairs committee is working on possible changes to the subdivision ordinance. Mr. Popham and Mr. Melton are working on the rewording of one of the sections.

Mrs. Banks stated that the public affairs committee is also working on a jake-brake ordinance and implementation. Mrs. Banks stated that this is a nuisance to citizens that live close to the main roadways through the city. Mr. Popham stated that he is working on the ordinance.

Mrs. Banks stated that there is a vacancy on the Historic Preservation Commission and offered a motion to appoint Mr. Hal Clarke to fill the vacancy. Seconded by Mr. Hansford, the motion carried unanimously.

Mrs. Banks read a response from Jeager explaining why the brick in the planters is not the same brick as in the courthouse building and also why they did not use colored mortar.

MR. CALLOWAY

Mr. Calloway reviewed invoices totaling over \$500 for each vendor and offered a motion to approve the police department committee totals of \$4,195.87 and the fire department committee totals of \$11,193. Seconded by Mr. Wilson, the motion carried unanimously.

MR. HANSFORD

Mr. Hansford reviewed invoices totaling over \$500 for each vendor and offered a motion to approve the administrative department committee totals of \$11,241.24 and the cable department committee totals of \$11,693.23. Seconded by Mr. Dodd, the motion carried unanimously.

Mr. Hansford stated that the telecommunications committee will meet this Friday at 10:00 am.

MR. WILSON

Mr. Wilson reviewed invoices totaling over \$500 for each vendor and offered a motion to approve the cemetery department committee totals of \$1,202.05 and the recreation department committee totals of \$30.60. Seconded by Mr. Calloway, the motion carried unanimously.

Mr. Wilson stated that the regularly scheduled parks, recreation, and cemetery committee meeting will next Wednesday at noon.

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 \$5,472.24. Seconded by Mr. Wilson, the motion carried unanimously.

Mr. Lawrence stated that the public works committee will meet to discuss the methane extraction system once all information is gathered.

Mr. Lawrence stated that the driveway repairs on James Street and College Street should be complete within the next couple of weeks.

Mr. Lawrence read a section of the city ordinance governing garbage pickup and stated that all citizens need to use suitable/covered containers no larger than 35 gallon containers.

CITY CLERK REPORT

Mrs. Hall reported on the status of the Streetscape project stating that work on the corner of Main and Jackson should be completed this week; DOT is ready to begin setting the bolts for the traffic arms within the next week.

Mrs. Hall reported on the following:

- Waiting until closer to Halloween to determine the route for the trick-or-treaters
- Yard sale and shred day will be held October 23rd beginning at 7 am for the yard sale and 10 am for the shredding
- Invitations to the 1st Annual Firemen's Social are in everyone's mailbox
- Mrs. Hall will be attending a State Ethics training class tomorrow morning on the changes the State has made in how elected officials report

CITY ATTORNEY REPORT

Mr. Melton had nothing further to report.

Mayor Howard stated that the \$1 million reported to be in the bank account does not include the invoices approved for payment tonight.

Mrs. Jill Thomason came before council and introduced herself as the Family Connection Coordinator for Monroe County.

Mr. Dodd offered a motion to go into executive session to discuss personnel matters and pending litigation. Seconded by Mrs. Banks, the motion carried unanimously and council adjourned into executive session at 8:34 pm.

Mayor Howard called the meeting back into open session at 9:10 pm. There being no further business to discuss, the meeting was adjourned at 9:10 pm.

Submitted by:

Janice L. Hall, City Clerk