

MINUTES

FORSYTH CITY COUNCIL MEETING

NOVEMBER 16, 2010

CALL TO ORDER, PLEDGE OF ALLEGIANCE, AND INVOCATION

Mayor Howard called the meeting to order at 7:00 pm. Mr. Hansford 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 NOVEMBER 2, 2010 COUNCIL MEETING

Mr. Wilson stated that a correction needs to be made to page 3 line 16 on the minutes to reflect the correct name of the company as TSW not TSA. Mr. Wilson offered a motion to approve the minutes of the October 19, 2010 council meeting as amended. Seconded by Mr. Lawrence, the motion carried unanimously.

APPROVAL OF INTERGOVERNMENTAL AGREEMENT WITH GEORGIA DEPARTMENT OF CORRECTIONS FOR ENCROACHMENT ON CITY SIDEWALK

Mrs. Banks stated that this agreement was discussed and reviewed at the council work shop. Mrs. Banks stated that this is an agreement for encroachment by the Department of Corrections on the City sidewalk at the DOC entrance on Tift College Drive. Maintenance on the area will be a joint venture between the City and DOC. Mr. Melton stated that DOC legal counsel has agreed to the amendments previously requested by City Council. Mrs. Banks offered a motion to approve the Intergovernmental Agreement with the Department of Corrections for encroachment on the sidewalk on Tift College Drive. Seconded by Mr. Lawrence, the motion carried unanimously.

APPROVAL OF TEMPORARY CONSTRUCTION AGREEMENT WITH D.M. ELLIS, SR. AND ANGELA D. ELLIS FOR WORK RELATED TO THE STREETScape PROJECT

Mr. Melton reviewed the agreement stating that the approval of the agreement is necessary due to the discovery of possible subterranean vault during work related to the Streetscape Project. Mr. Melton stated that workers are not certain that a cavity exist beneath the sidewalk adjacent to Flowers by Helen but are certain that a cavity is beneath the sidewalk adjacent to Grits' Café. Mr. Melton stated that project architects are concerned that the cavities may have historical significance and therefore cannot be destroyed. Mr. Melton stated that the Public Affairs committee has requested that the architect's recommendations be incorporated into each agreement and Mr. Melton stated that this will be added as Exhibit B to each agreement. Mrs. Banks stated that the Public Affairs committee reviewed the agreements during a committee meeting in which Mr. Melton and Mr. Randall were present. Mrs. Banks stated that the City will bear all cost to shore up the areas in accordance with the architects recommendations. Mrs. Banks offered a motion to approve the agreement with Mr. and Mrs. Ellis for Flowers by Helen property and Mr. and Mrs. Wetendorf for the Grits' Café property. Seconded by Mr. Dodd, the motion carried unanimously.

APPROVAL OF TEMPORARY CONSTRUCTION AGREEMENT WITH WAYNE WETENDORF AND TERRI WETENDORF FOR WORK RELATED TO THE STREETScape PROJECT

Reviewed and approved with the above agreement for Mr. and Mrs. Ellis for the Flowers by Helen property.

CITY ADMINISTRATOR REPORT

Mr. Popham offered the following report:

- Reminded everyone that November 18th the final public hearing on the James Street project will be held.
- MGRC has approved the request for technical assistance on the Land & Water Conservation Grant.
- Advertisements for the waterline to Timberlake Ministries should begin today.

Mr. Calloway asked when water would be available to the property and Mr.

Popham stated that construction should begin mid-January and should be a short-term project.

- The report on the cable system has been submitted to GMA for review as requested by the telecommunications committee.
- Dilapidated houses update – the property owner for the houses on Jones Street is still working on a plan for the property; waiting on the 30-day window for the house at 460 Cabiness Road; property owner for 78 Jones Street is waiting on an insurance claim before moving forward due to vandalism to the property. Mr. Popham has contacted DOC for prison labor to demolish the property on Cabiness after asbestos testing is performed. Mr. Wilson asked if the asbestos abatement will be bid. Mr. Popham stated that he had contacted the local company that handles asbestos abatement for an estimate of cost and the asbestos assessment report will cost between \$2,000 and \$2,500. Mrs. Banks asked if the asbestos testing still has to be performed even if there is a risk of injury for anyone entering the structure and Mr. Popham stated that the asbestos testing must be performed. Mr. Calloway stated that he is glad the property will eventually be cleaned up.
- Mr. Wilson asked for an update on Streetscape. Mr. Popham stated that pavers and guardrails are being installed; mast arms will be installed on December 10th; with change orders that were approved the realistic end of construction should be mid-January. Mr. Wilson stated that contractor had stated that if turned loose with 2 crews they could reach the November 15th deadline. There was discussion as to all items that have slowed the project.

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 \$1,831.43 and the water department committee totals of \$13,609.20. Seconded by Mr. Hansford, the motion carried unanimously.

Mr. Dodd stated that Utility Partners acquired a bid for rehabilitation of the filters at the water plant. Mr. Dodd offered a motion to enter into an agreement with Rehab

Construction to rehab the filters at a cost of approximately \$170,000. The motion was seconded by Mrs. Banks. Mr. Dodd reviewed that the filters are a part of the treatment of the water and have not been changed out in several years. With old filters in place, it decreases the flow of water out of the plant and rehabbing the filters will increase the capacity by 300,000 gallons to 400,000 gallons per day. Mr. Dodd stated that the Boxankle engineers stated during the last public utilities committee meeting that the total water production percentage is too close to maxing out the system. Mr. Dodd stated that there are only a few companies that do this type of work and the materials are only available outside of the US. Mr. Wilson stated that he questions how the bidding on this project was done and stated that council needs to exert oversight in the bidding process. The motion carried with five (5) votes for (Dodd, Banks, Calloway, Hansford, and Lawrence) and one (1) vote against (Wilson).

MRS. BANKS

Mrs. Banks offered a motion to approve the public affairs committee totals of \$250. Seconded by Mr. Calloway, the motion carried unanimously.

Mrs. Banks stated that we will be working through the process of hiring a new Better Hometown Director. Mrs. Banks stated that she has three job descriptions from other cities and will incorporate those job descriptions into our job description.

Mrs. Banks stated that language cleanup and updating needs to be done to the City ordinances. Mrs. Banks stated that she has spoken with MGRC and asked them to review all ordinances a chapter at a time and they agreed to do this under the City's annual membership fee. Mrs. Banks stated that MGRC will review each chapter and make suggestions for changes and provide examples of any changes they suggest. Mrs. Banks requested that a letter requesting Technical Assistance with this project be sent to the MGRC. Mr. Dodd stated that he is encouraged by this information and agrees that our ordinances need updating. By general consensus council agreed to request technical assistance from the MGRC on this project.

Mrs. Banks stated that discussions have been held on several occasions about changing the City seal. Mrs. Banks stated that she also spoke with the MGRC and asked their assistance in designing a new City seal. Mrs. Banks stated that there is also a local

citizen working on a potential change for the seal. Mrs. Banks asked that a letter requesting technical assistance be sent to the MGRC for this project also.

MR. CALLOWAY

Mr. Calloway reviewed invoices totaling over \$500 for each vendor and offered a motion to approve the police department committee totals of \$12,905.82 and the fire department committee totals of \$4,582.77. Mr. Dodd seconded the motion. Mayor Howard asked what the \$10,500 to Trophy Ford was for and Mr. Calloway stated it was for the purchase of a vehicle to replace one that was wrecked and totaled out by the insurance company. The motion carried unanimously.

Mr. Calloway stated that in his motion at the last council meeting regarding additional days off for city employees, he inadvertently stated an incorrect date. Mr. Calloway stated that since Christmas Day is on a Saturday, employees will observe the preceding Friday for the holiday. Mr. Calloway offered a motion to correct his previous motion and give city employees an additional day off a Christmas this year on December 23rd. Seconded by Mr. Wilson, the motion carried unanimously.

Mr. Calloway offered a motion to extend Walter Carter as the Fire Chief for an additional 90 days. Seconded by Mr. Dodd 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 \$308.24 and the cable department committee totals of \$3,208.29. Seconded by Mr. Wilson, the motion carried unanimously.

Mr. Hansford stated that a date to review the 2011 budget needs to be set. Mr. Popham stated that he was waiting on a midyear budget review and that he should have the 2011 figures complete by the end of this week.

Mrs. Banks requested that the City host a community meeting on the cable. Mr. Hansford stated that he will look into a meeting around the first of December, possibly before the first council meeting.

MR. WILSON

Mr. Wilson offered a motion to approve the cemetery department committee totals of \$387.56. Seconded by Mr. Hansford, the motion carried unanimously.

Mr. Wilson asked that TSW be invited to the next parks & recreation committee meeting to begin discussion on the water park.

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 \$55,542.20. Mr. Calloway seconded the motion. Mrs. Banks asked if any of the invoices for approval were for the company that did the sealing on Tift College Drive and Mr. Lawrence stated that \$17,500 is for the sealing on the roadway. Mrs. Banks stated that she did not approve of the procedure followed to get the work done therefore, she will be voting against approval of the invoices. Mr. Wilson asked if there was a guarantee or warranty on the work and Mr. Lawrence stated that he was not aware of one. Mr. Popham stated that he will follow-up with the company and find out about any guarantee or warranty. Mr. Wilson asked if bid specs were sent out, would they become the contract and Mr. Melton stated that they could. Mr. Popham stated that Mr. Randall met with the contractors and gave information to them as to what we wanted but a set of specifications were not drawn up and there are no engineering drawings. Mr. Wilson stated that he just wants to make sure that all bids are on the same specifications whether written or verbal. The motion carried with three (3) votes for (Lawrence, Hansford, and Calloway) and three (3) votes against (Banks, Dodd, and Wilson). The Mayor cast an affirmative vote to pass the motion.

Mr. Lawrence stated that a new leaf truck needs to be purchased and was budgeted in the cemetery department. Mr. Wilson will get with Mr. Randall to obtain specs and bids on a new truck.

Mr. Dodd stated that he would like to commend the electric department for their work above and beyond the call of duty on the Veteran's Memorial.

CITY CLERK REPORT

Mrs. Hall reminded everyone of the administrative committee meeting Wednesday at 10:30 am.

CITY ATTORNEY REPORT

Mr. Melton stated that for the record he is not related to Mrs. Melton at GMA that Mr. Popham stated he was working with on the cable report. It was clarified that her name is Helton not Melton.

Mr. Melton stated that the budget must be approved before the first of the year and must be advertised and public hearings held.

MAYOR HOWARD

Mayor Howard thanked everyone involved for their work on the Veteran's Memorial. Mayor Howard stated that the project has been in the works for 8 years and glad to see it come to fruition.

Mayor Howard stated that the ribbon cutting/dedication at the Department of Corrections went well and everyone is glad to see them finally moving in.

Mayor Howard stated that there is discussion being held to move the National Guard Armory out of Forsyth. Mayor Howard stated that many here in Forsyth and Monroe County are working to keep the armory here. Mayor Howard voiced his discontent with other recent events overshadowing the DOC ribbon cutting and the dedication of the Veteran's Memorial. Mr. Calloway commended Mayor Howard for his part in the DOC ribbon cutting ceremony.

Mr. Hansford offered a motion to go into executive session to discuss personnel issues. Seconded by Mrs. Banks, council adjourned into executive session at 8:05 pm.

Mayor Howard called the meeting back into open session at 8:10 pm and there being no further business to discuss, the meeting was adjourned.

Submitted by:

Janice L. Hall, City Clerk