

MINUTES

FORSYTH CITY COUNCIL MEETING

MAY 3, 2011

CALL TO ORDER AND INVOCATION

Mayor Howard called the meeting to order at 7:00 pm. Mr. Wilson 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, and City Clerk, Janice Hall.

APPROVAL OF MINUTES OF THE APRIL 19, 2011 COUNCIL MEETING

Mr. Wilson offered a motion to approve the minutes of the April 19, 2011 council meeting as written. Seconded by Mr. Lawrence, the motion carried unanimously.

PUBLIC HEARING – VARIANCE REQUEST FROM WARREN & ASSOCIATES FOR MONUMENT SIGN LOCATED IN CORRIDOR OVERLAY DISTRICT FOR MEDICAL MALL BUILDING – TAX MAP F25 PARCELS 5C AND F

Mayor Howard opened the public hearing for comments for or against the approval of a variance request from Warren & Associates to erect a monument sign within the Lee Street Corridor Overlay. Mr. Melton reviewed the application and stated this has been properly advertised in the April 13th, 20th, and 27th issues of the Reporter; the sign is to be located in the Lee Street Corridor Overlay; and the Planning & Zoning Commission recommended approval during their February 28th meeting. Mr. Warren Selby, Warren & Associates, came before council and stated that he has been through the approval process with the Planning & Zoning Commission and the Design & Review Board for all of the changes that are being made to the old Wal-Mart building. Mr. Selby stated that the only matter not yet approved and permitted is the sign at the entrance to the complex located on Lee Street. Mr. Selby stated that he was asked by P&Z and D&R to coordinate with Mr. Ronnie Daniel for the location of the sign so that the new sign did not block his existing sign for his business located on the adjacent property. Mr. Selby stated that the Medical Mall sign will be located 30' from Lee Street in the existing island between the entrance and exit lanes. Mrs. Banks asked what materials will be used to construct the sign and Mr. Selby stated that the sign will be masonry & brick with a metal roof to match the façade of the building with recessed lighting. Mayor Howard asked if the island was being reconfigured and Mr. Stephen Holland, Architect for the project, stated that a portion of the curbing further into the site will be moved to facilitate better traffic flow. Mrs. Banks asked if the existing old Wal-Mart pole sign will be

removed and Mr. Selby stated that it will. Hearing no further comments for or against the approval of the variance request, Mayor Howard closed the public hearing. Mr. Dodd offered a motion to approve the variance request and allow the monument sign. Seconded by Mr. Calloway, the motion carried unanimously.

ROBERT SMITH – MGRC – REVIEW OF CITY PAY PLAN WORK

Mr. Robert Smith, Middle Georgia Regional Commission, came before council and stated that the Commission is ready to begin work on the pay plan. Mr. Smith stated that the work will include comparing salaries and duties to other cities of comparable size, update the personnel manual, create an organizational chart, and determine a step and grade system. Mrs. Banks asked if a job evaluation will be included in the process and Mr. Smith stated that it will. Mr. Calloway asked for a projected completion date and Mr. Smith stated that it should be complete within 90 days.

KAREN MANUS-PENNINGS – REVIEW OF FORSYTHIA FESTIVAL

Mrs. Manus-Pennings, Tourism Director for the Chamber, came before council to update them on the Forsythia Festival. Mrs. Manus-Pennings stated that this year's festival included 6 events, 96 vendors, and an estimated crowd of 15,000. Mrs. Manus-Pennings reviewed the different advertising venues they used to advertise the festival.

PUBLIC HEARING – APPROVAL OF BEER AND WINE POURING LICENSE FOR THE 50/50 CLUB LOCATED AT 50 SOUTH JACKSON STREET

Mayor Howard opened the public hearing for comments for or against the approval of the beer and wine pouring license for the 50/50 Club. Mr. Melton reviewed the application and stated that this first came before council on April 4th; has been properly advertised in the April 20th and 27th issues of the Reporter; and is an application to sell alcohol for beer and wine pouring for 50 South Jackson Street. Mr. Carlton Jones, applicant and business manager came before council and stated that a sports bar has been held at this location without an alcohol license. Mr. Jones stated that he wants to have a sports bar with televisions, pool tables, games, music and entertainment. Mr. Jones stated that the interior will be upgraded and the exterior will be painted. Mr. Jones stated that there will always be a person responsible for keeping order and checking ID's. Mr. Jones stated that they will have a DJ Monday through Thursday and a live band on Friday and Saturday. Mrs. Banks stated that she is concerned with the noise from the music when the property abuts residential neighborhoods. Mr. Jones stated that the music may have to be more low key and that he does not want to disturb the neighborhood. Mrs. Banks stated that she is also concerned with the additional traffic on Lovers Lane. Mr. Wilson stated that the property was rezoned to CBD and this type of business is an approved business in that location. Mr.

Jones stated that he will be the manager but will not be onsite everyday but a bar manager will be present. Mayor Howard stated that there have been numerous complaints and serious concerns in the past so oversight is imperative. Mr. Jones stated that he wants a successful longtime business and wants to make it work and security will be in place.

J. Frank Vaughan – 95 South Lee Street – came before council and stated that several items of concern have already been discussed and other establishments in the building have had loud music and noise which has been a problem. Mr. Vaughan stated that council has denied license to other businesses and that the owner has previously said that he would not sell alcohol in that location. Mr. Vaughan stated that the building was previously and originally a cotton gin and getting the building to code will take a lot of work. Mr. Vaughan stated that the owner of the building is the brother of the local building inspector so he asked that an inspection be performed by an uninterested property.

Dr. Kevin Smith – Mayor Howard read a letter of opposition received from Dr. Kevin Smith who owns the adjacent property.

Hearing no further comments for or against the approval of the license, Mayor Howard closed the public hearing.

Mr. Calloway offered a motion to approve the beer and wine pouring license for the 50/50 Club. Mrs. Banks seconded the motion. The motion failed with one (1) vote for (Calloway) and five (5) votes against (Dodd, Banks, Hansford, Wilson, and Lawrence).

REVIEW RENTAL AGREEMENT FOR ALDERMEN HALL AND REVISE TO ONLY RESERVE FOR BUSINESS MEETINGS HELD DURING BUSINESS HOURS

Mrs. Hall reviewed the continued damage to the building and stated that the floors were recently damaged again after they were recently refinished. Mrs. Hall stated that social events held after hours have no supervision from staff and requested that council consider no longer renting out the building for social events. Mrs. Hall stated that the majority of after-hour events are being reserved by employees of the city, county, BOE, or DOC so the city is not receiving any money for those events. Mrs. Hall stated that now that the new County Clubhouse is opened and there are other venues for rent that the city does not need to be in competition with those businesses for event rental. Mrs. Banks stated that the building needs to be used for economic development. Mrs. Banks stated that she would like to make it official tonight to no longer use the building for social events and then allow the new direction to review and bring a proposal back to the committee. Mrs. Tiffany Andrews, Chamber of Commerce, addressed council and stated that business meetings are not the problem and that several insurance

agencies hold their regional meetings in the hall. Mrs. Banks offered a motion to no longer rent Aldermen Hall for social events. Seconded by Mr. Dodd, the motion carried unanimously.

APPROVAL FOR SUBMISSION OF BALLOT FOR GMA'S DISTRICT 6 OFFICERS FOR 2011-12

Mrs. Hall stated that a copy of the ballot is included in council packets and this is for the District 6 Officers for the 2011-12 year. Mr. Lawrence offered a motion to approve the submission of the ballot. Seconded by Mr. Wilson, the motion carried unanimously.

APPROVAL TO MOVE FORWARD WITH DEMOLITION OF HOUSE ON CABINESS ROAD AND FILING OF LIEN ON PROPERTY

Mr. Walter Carter, Zoning Officer, presented the three proposals received for demolition of the structure on the property located on Cabiness Road which council has deemed at a public hearing that the property a nuisance and required the owner to demolish the property. Mr. Carter stated that no response has been received from the property owner and the City Attorney will move forward with filing a lien on the property once the demolition is complete. Mrs. Banks offered a motion to move forward with the demolition using Southern Abatement as the contractor. Seconded by Mr. Dodd, the motion carried unanimously.

COMMITTEE REPORTS

Mayor Howard called on Mrs. Hall to review the change n the approval of the invoices. Mrs. Hall stated that in order to provide approval of all invoices before council to be approved which will now include the regular monthly invoices such as insurance premiums, utility bills, telephone bills, and the like. Mrs. Hall stated that accounts payable invoices to be approved total \$223,747.98. Mr. Calloway offered a motion to approve the accounts payable invoices. Seconded by Mr. Dodd, the motion carried unanimously.

MR. DODD

Mr. Dodd reported the following from the public works committee:

- The committee is currently reviewing the RFQ's received for Streetscape Phase III.
- A substantial completion meeting was held on the Streetscape Phase I and II and a report should be forthcoming from the meeting.
- Commended Keith Corley, Janice Hall, Pat Wright, and Alvin Randall for their work last Monday night to rectify the situation created by the paving company when they closed down Main Street at 5 pm rather than beginning on Johnston Street at 8 pm. All four sides of the square were paved on Monday night rather than taking two nights.

- Working on a paving list for streets throughout the city that need to be repaved using Splost money.
- Need to move on the Railroad Avenue project.
- The Landfill Methane extraction project is on track and the engineer is corresponding with the EPD.

MRS. BANKS

Mrs. Banks reported the following from the public affairs committee:

- Requested that Mr. Carter notify all property owners on the list provided for Jones Street.
- Committee meeting is scheduled for noon on May 12th and will be reviewing the Noise Ordinance.
- Mrs. Banks offered a motion to appoint Mrs. Loraine Khoury as the Downtown Development Director. Seconded by Mr. Hansford, the motion carried unanimously. Mrs. Banks stated that the previous path has to be changed and the Mrs. Khoury brings a strong background to the position. Mrs. Banks stated Mrs. Khoury will begin May 31st.

MR. CALLOWAY

Mr. Calloway called on Mr. Pat Wright for a report from the water department. Mr. Wright reported the following:

- Mr. Garretson has advised him that the Towalgia River withdrawal permit is approximately 50% complete.
- Mr. Brant Lane has advised that a different type pipe will be required in the Russellville Water Treatment filter project with an increase cost of \$150,000 to \$175,000 on the project.
- Timberlake water main passed inspection and the water meter should have been installed today.
- Reviewed meeting with the EPD held on April 20th to review the Watershed Protection Plan.
- Mr. Calloway asked that inspections are made on the road cuts the gas company is making around the city to make sure that they are repaired back to DOT standards.

MR. HANSFORD

Mr. Hansford offered the following report from the administrative and telecommunications committee:

- Mrs. Hall requested an executive session for personnel matters at the end of the meeting.
- A second round on interviews will be held next week with the four remaining candidates for the city administrator position.

- The telecommunications committee has a meeting scheduled for next Thursday at 11:00 am.

MR. WILSON

Mr. Wilson offered the following report from the public safety committee:

- Reviewed the committee meeting held today.
- Welcomed Chief David Herndon. Chief Herndon stated that he appreciates the opportunity to work with the city as the Fire Chief and look forward to serving the citizens of Forsyth.

MR. LAWRENCE

Mr. Lawrence offered the following report from the parks/recreation/cemetery committee:

- A new mower is being purchased for the cemetery department.
- Will schedule a meeting on the Kynette Park grant to include the county and DOC.
- Work continues on the plans for the city pool.

MRS. HALL

Mrs. Hall had nothing further to report.

MR. MELTON

Mr. Melton had nothing further to report.

ADDITIONAL OLD BUSINESS

There was no old business to discuss.

ADDITIONAL NEW BUSINESS

Mr. William Arthur Calloway came before council and stated that he had wanted to have a party at Aldermen Hall but was told that no longer renting out the building. Mrs. Banks stated that council fully intended to rent the building out and unfortunately due to continued damage to the building, the city can no longer rent the building out after hours. Mrs. Banks stated that there are just too many people using the building that do not respect the building and the city cannot financially continue to repair the damages. Mayor Howard stated that the building will continue to be used just not rented for social events.

Mr. Hansford offered a motion to adjourn into executive session to discuss personnel matters and pending litigation. Seconded by Mr. Wilson, the motion carried unanimously and council adjourned into executive session at 8:35 pm.

Mayor Howard called the meeting back into open session.

There being no further business to discuss, the meeting was adjourned at 9:00 pm.

Submitted by:

Janice L. Hall, City Clerk