

## **MINUTES**

### **FORSYTH CITY COUNCIL MEETING**

**JUNE 21, 2011**

#### **CALL TO ORDER, PLEDGE OF ALLEGIANCE, AND INVOCATION**

Mayor Howard called the meeting to order at 7:00 pm and led the Pledge of Allegiance. Mrs. Banks gave the invocation.

#### **ROLL CALL**

Present for the meeting were Mayor Tye Howard, Councilmembers Mike Dodd, Jo Anna Banks, Eric Wilson, and Melvin Lawrence. Also present was City Attorney, Bobby Melton; and City Clerk, Janice Hall.

Councilmembers James Calloway and Desi Hansford were unable to attend the meeting; therefore, all unanimous votes will be four (4) votes (Dodd, Banks, Wilson, and Lawrence).

#### **APPROVAL OF MINUTES OF THE JUNE 7, 2011 COUNCIL MEETING AND THE SPECIAL CALLED COUNCIL MEETING JUNE 15, 2011**

Mr. Wilson offered a motion to approve both sets of minutes as written. Seconded by Mr. Lawrence, the motion carried unanimously.

#### **ARTS ALLIANCE APPROVAL OF TEMPORARY ALCOHOL LICENSE**

Ms. Ann Rose came before council on behalf of the Monroe County Art's Alliance to request approval of a temporary one-day alcohol license for a fund raiser to be held on Saturday, June 25, 2011 at ATG Studio on Adams Street. Mr. Wilson offered a motion to approve the temporary alcohol license. Seconded by Mrs. Banks, the motion carried unanimously.

#### **APPROVAL OF BUDGET MOVE DISCUSSED IN WORK SESSION**

Mrs. Hall reviewed the budget move to move \$20,000 from the fire department equipment purchase line item to the fire department group insurance line item. Mrs. Hall stated that this budget adjustment was discussed and approved during the June 7, 2011 work session but the budget adjustment needs formal approval by council. Mr. Lawrence offered a motion to approve the budget adjustment. Seconded by Mr. Dodd, the motion carried unanimously.

#### **APPROVAL TO SUBMIT A PRE-APPLICATION TO THE DRINKING WATER STATE REVOLVING FUND THROUGH GEFA FOR THE TOWALIGA RIVER INTAKE AND PUMPING STATION**

Mr. Garry Garretson, engineer for the Towaliga River Intake project, came before council to review the need to submit a pre-application to GEFA. Mr. Garretson stated that the pre-application process does not commit the city to a project, but if a project is not on the GEFA list it cannot be

considered for funding should the City decide to move forward on the project during that fiscal year. Mrs. Banks asked if other projects need to be added to GEFA's list and Mr. Garretson stated that there are no other projects far enough along through the engineering phase to be eligible. Mr. Dodd offered a motion to approve the pre-application. Seconded by Mrs. Banks, the motion carried unanimously.

Mr. Garretson stated that he received an email today stating that the Boxankle Plant rehab project loan application has been approved by GEFA.

#### **APPROVAL TO SUBMIT A TECHNICAL ASSISTANCE REQUEST TO MGRC FOR ASSISTANCE WITH THE DEVELOPMENT OF AN OPPORTUNITY ZONE**

Mrs. Loraine Khoury reviewed what an Opportunity Zone would mean for the City and stated that it is primarily for older sections of the downtown area for revitalization. Mrs. Khoury stated that there is no cost to the City and the businesses located within the Opportunity Zone would be eligible for tax credits for 5 years. Mrs. Khoury requested permission to submit a Technical Assistance request to the MGRC to write the application and designate the appropriate area for the Opportunity Zone. Mrs. Banks offered a motion to submit the Technical Assistance request to the MGRC. Seconded by Mr. Wilson, the motion carried unanimously.

Mrs. Khoury reported the following from the BHT:

- Fireworks will be July 3<sup>rd</sup> at the Monroe County Recreation Complex with activities beginning at 7:00 pm and the fireworks display at 9:30 pm. 3-D glasses will be available for the first 1,000 persons entering the complex.
- Farmers Market began again last Friday in the same location as previous years behind Farmers Bank – hours are 2:00 pm until 6:00 pm
- Concerts are scheduled for August 13<sup>th</sup> and September 10<sup>th</sup>

#### **AWARD BID FOR LANDFILL GAS EXTRACTION SYSTEM**

Mr. Dodd stated that the bids for the Methane Gas Extraction System came in higher than expected but the project must be done due to requirements from EPD. Mr. Dodd offered a motion to award the project to Southeastern Environmental Contractors for their bid of \$149,400. Seconded by Mr. Wilson, the motion carried unanimously.

#### **AWARD BID AND APPROVAL TO MOVE FORWARD WITH ADDITIONAL FUNDING REQUIRED FOR THE PURCHASE OF A NEW FIRE TRUCK**

Mr. Wilson reviewed the process so far stating that Chief David Herndon sent out bid specs and received sealed bids for a new fire truck. Mr. Wilson stated that we will be short on the allotted funds from the SPLOST by about \$100,000. Mr. Wilson stated that we should consider borrowing the shortfall

from the Municipal Competitive Trust (MCT) and repaying ourselves with current interest rate. Chief Herndon reviewed the bids that were received – three bids from two companies. Chief Herndon recommended moving forward with the bid received from Pierce in the amount of \$305,277 with a pre-payment discount of \$12,843 if payment in full is made at time truck is ordered. Chief Herndon stated that an additional \$52,000 will be required to equip the truck. Mr. Wilson offered a motion to award the bid to Pierce. Seconded by Mrs. Banks, the motion carried unanimously. Chief Herndon stated that delivery is expected in late December. Mayor Howard asked about the interest payments to MCT and Mrs. Hall stated that we would repay ourselves based on the amortization schedule should we decide to borrow the money from a financial institution. Mr. Wilson offered a motion to borrow the additional money required to fund the fire truck and equipment purchase from the MCT and to repay with interest based on an amortization schedule. Seconded by Mrs. Banks, the motion carried unanimously.

#### **APPOINTMENT OF CITY JUDGE**

Mrs. Hall stated that council appointed Judge Karen Pitman during the June 15<sup>th</sup> council meeting as the Municipal Court Judge to hear first appearances from the jail. Mrs. Hall stated that new regulations regarding the requirements for a Municipal Court Judge go into effect on July 1, 2011. If Judge Pitman is not named as a Municipal Court Judge prior to that deadline, she will not be eligible to help out in city court except for the initial appearances from jail. Mrs. Hall stated that naming Judge Pitman as one of the judges will make her eligible to sit on the bench during any city court proceedings. Mr. Dodd offered a motion to appoint Judge Karen Pitman as a Municipal Court Judge. Seconded by Mr. Wilson, the motion carried unanimously. Mayor Howard stated that several local attorneys have expressed interest in the judgeship and council will make a decision soon.

#### **APPROVAL TO PLACE A REFERENDUM ON THE NOVEMBER BALLOT FOR SUNDAY ALCOHOL SALES BY THE DRINK**

Mrs. Banks stated this matter was brought before the public affairs committee by the governmental affairs committee of the Chamber of Commerce. Mr. Melton reviewed the regulation stating that in order to qualify for Sunday alcohol sales by the drink the establishment must receive at least 50% of gross annual sales from meals or food or 50% for overnight stays. Mr. Melton reviewed the wording of the referendum stating that this will be a ballot question. Mr. Melton stated that the referendum will not specify the location because the law specifies this. Mr. Todd Tolbert, Chairman of the Chamber Governmental Affairs Committee, came before council to review what is being asked. Mr. Tolbert stated that the local restaurant association brought the matter to the Chamber committee. Mr. Tolbert stated that Sunday alcohol sales are currently permitted in Monroe County and Sunday alcohol

sales in Forsyth would increase marketability, competitiveness, and is a good economic development tool for large restaurants. Mr. Tolbert stated that his committee is requesting that this matter be placed on the ballot for the citizens to vote on. Mrs. Banks offered a motion from the public affairs committee that this matter be placed on the November ballot as a ballot question. Seconded by Mr. Lawrence, the motion carried unanimously.

#### **APPROVAL OF ADDITIONAL LARP PAVING**

Mr. Dodd stated that we have a unique opportunity to add paving to the LMIG State paving project. Mr. Dodd stated this was formerly referred to as LARP but is now LMIG. Mr. Dodd stated that we can take advantage of the State bidding for paving and contract with that paving company while they are in Forsyth paving the LMIG approved streets to pave additional streets. Mr. Dodd offered a motion to add four streets to the LMIG paving at a cost of \$68,579.13 from SPLOST funds. Seconded by Mrs. Banks, the motion carried unanimously. There was discussion regarding the savings being received and the streets included in the list of four streets.

#### **APPROVAL OF ACCOUNTS PAYABLE INVOICES**

Mrs. Hall offered the accounts payable invoices for approval as \$194,910.81 regular accounts payable invoices and \$7,687.55 SPLOST invoices for a total of \$202,598.36. Mr. Dodd offered a motion to approve all accounts payable invoices for payment. Seconded by Mr. Wilson, the motion carried unanimously.

#### **COMMITTEE REPORTS**

##### **MR. DODD**

Mr. Dodd offered the following report from the public works committee:

- The bid approved for the Methane Gas Extraction project is not to exceed \$149,400 due to the engineer working with the company to reduce the cost.
- Five minor items remain open on the Streetscape project and the DOT still has to complete the new signage.
- Mrs. Khoury is reviewing the engineer proposals received for Streetscape Phase III.

##### **MRS. BANKS**

Mrs. Banks offered the following report from the public affairs committee:

- Working on redesign of the City seal.
- 2<sup>nd</sup> round of revisions complete on the Noise Ordinance and has been sent back to MGRC for final review.
- Working on luncheon with State Representatives for August 3<sup>rd</sup> – more details at a later date.

- Pest control bids received but they did not include termite service so they have been sent back to the companies for additional submittal.

Mrs. Banks stated that we should piggyback off other State contracts when we can as we are doing with the street paving.

#### **MR. WILSON**

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

- Next public safety committee meeting will be July 5<sup>th</sup> at 3:30 pm.

#### **MR. LAWRENCE**

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

- Need to get engineering done on the Kynette Park project. Mr. Lawrence stated that \$6,000 of the \$86,000 grant funds can be used for engineering. Mr. Lawrence offered a motion to send out RFP's to engineers for the Kynette Park project. Seconded by Mrs. Banks, the motion carried unanimously. Mr. Lawrence stated that Mr. Randall will work with the MGRC to write the RFP and send it out.
- There will be a Rap Party on the square this Friday from 6 pm until 10 pm. Chief Corley will have security and public works will provide the stage. Mr. Randall stated that the event needs to be policed well to prevent damage like the grease damage during the Forsythia Festival.

#### **MRS. HALL**

Mrs. Hall stated that the City and Chamber will hold a joint Business After Hours this Thursday at Aldermen Hall for a meet-and-greet for Mrs. Khoury

Mrs. Hall stated that an itinerary for the GMA convention will be in mailboxes by Thursday.

Mrs. Hall stated that the 2010 audit will be submitted on-time again this year.

#### **MR. MELTON**

Mr. Melton stated that he is still waiting on a response from Discount Auto Parts on the easement request for Railroad Avenue. Mr. Dodd stated that the engineering is almost complete and asked Mr. Melton to contact Discount Auto Parts again. There was discussion regarding stronger tactics to take to obtain the property and Mr. Melton stated that condemnation would take court proceedings. Mr. Melton stated that he would contact Discount Auto Parts again and stress the importance of receiving the easement immediately.

#### **ADDITIONAL BUSINESS**

Mayor Howard asked Mr. Randall and Mr. Wright for updates on the power outages and any associated problems.

Mr. Randall stated that the recent storms have caused several outages but even with the most severe storm, the electric department had all power restored in less than 3 hours. Mr. Randall stated that some Georgia Power and EMC customers were out for several days.

Mr. Wright stated that the last storm presented significant issues when the power was interrupted to the intake. Mr. Wright stated that this service is provided by Southern Rivers Energy. Mr. Wright stated that according to Southern Rivers Energy had over 1,500 customers without power after the latest storm and even though our account is listed as a priority account, power was interrupted for over 12 hours. Mr. Wright stated that it was close to becoming serious with no way to pump water from the reservoir to the plant. Mr. Wright suggested doubling the size of the generator at the intake or providing a secondary feed to the intake. Mr. Dodd asked if the city can provide power to the intake since it is outside of the established territory and Mr. Randall stated that we can because the territorial rights provide for Municipalities to serve themselves even when outside of their territory but the cost would be significant. Mayor Howard stated that he had asked Southern Rivers Energy several years ago to bury the line but that responded that they would not. There was discussion on the route to take to serve power by the City.

Mr. Wright stated that the total water ban helped to recoup the water levels. Mr. Wright stated that as soon as the call went out there was a dramatic reduction in water usage and thanked all city customers for their willingness to help. Mr. Wright stated that we will continue to strongly enforce the odd/even watering schedule.

Mr. Wright stated that the first filter rehab is complete and as soon as clean samples are received back from EPD the next filter rehab can begin.

Mr. Jim Ham, County Commissioner, came before council to discuss a joint effort between the City and County for the work on Plant Camilla and the need to begin discussions on the next SPLOST projects. Mayor Howard stated that city citizens pay taxes twice and county citizens only pay once. Mayor Howard stated that a scope of work is needed for Plant Camilla before discussions can begin. Mr. Ham stated that the range of work has been estimated to cost between \$4 million and \$12 million. Mr. Ham stated that the county has a water line close to the Industrial Park that the city could tap on to and in an emergency the county could provide water to the city and vice-versa.

#### **EXECUTIVE SESSION**

Mr. Wilson offered a motion to adjourn in to executive session for personnel matters. Seconded by Mr. Lawrence, the motion carried unanimously and council adjourned in to executive session at 8:35 pm.

Mayor Howard called the meeting back in to open session at 8:55. There being no further business to discuss, the meeting was adjourned.

Submitted by:

Janice L. Hall, City Clerk