

MINUTES

FORSYTH CITY COUNCIL MEETING

MARCH 20, 2012

CALL TO ORDER, PLEDGE OF ALLEGIANCE, AND INVOCATION

Mayor Pro-Tem Jo Anna Banks called the meeting to order at 7:00 pm and led the Pledge of Allegiance. Mayor Pro-Tem Banks led the Lord's Prayer.

ROLL CALL

Present for the meeting was Mayor Pro-Tem Jo Anna Banks, Councilmembers Mike Dodd, James Calloway, Desi Hansford, Eric Wilson, and Melvin Lawrence. Also present was City Attorney, Bobby Melton; City Administrator, Thomas White; and City Clerk, Janice Hall.

Mayor John Howard was sick and unable to attend the meeting; therefore, Mayor Pro-Tem Banks chaired the meeting and all unanimous votes will be five (5) votes for (Dodd, Calloway, Hansford, Wilson, and Lawrence).

APPROVAL OF MINUTES OF THE MARCH 6, 2012 COUNCIL MEETING

Mr. Wilson offered a motion to approve the minutes of the March 6, 2012 council meeting as written. Seconded by Mr. Lawrence, the motion carried unanimously.

MAYOR'S REPORT

Mayor Pro-Tem Banks stated that due to the horrific fire last night, she would like to change the order of the agenda and have the Mayor's report first. Mayor Pro-Tem stated that numerous agencies, local restaurants, all city departments, Representative from Austin Scott's office, Chamber of Commerce and countless others were present to work alongside our fire department, show their support for the fire department and the owners of the buildings involved in the fire. Several local restaurants prepared food and drink and delivered it to the square for the workers. Mayor Pro-Tem Banks stated that it was a devastating but amazing night and dubbed the buildings the Grand Dames of Forsyth for withstanding the fire. Mr. Wilson called on Fire Chief David Herndon for a report. Chief Herndon stated that over 60 firefighters from several stations assisted in fighting the fire. Chief Herndon stated that the fire department personnel continue to monitor the buildings to ensure that the fire does not restart. Mayor Pro-Tem Banks stated that Mayor Howard regrets not being able to attend tonight's meeting but asked

that she pass on to Chief Herndon that he is proud of him for his actions during the fire and felt comfortable leaving the scene due to his control of the situation.

APPROVAL OF RESOLUTION PROVIDING FOR THE NAMING OF A PORTION OF HARRIS STREET TO PAUL JAMES PLACE

Mr. Lawrence offered a motion to table the matter. Seconded by Mr. Dodd, the motion to table carried unanimously.

APPROVAL OF QUIT CLAIM DEED TO BHSR, LLC FOR 10.135 ACRES AS SHOWN ON MERCER PLAT OF MAY 13, 2008 TITLED "A PARTITIONING SURVEY FOR BRENTWOOD PLACE APARTMENTS"

Mr. Melton reviewed the request from BHSR, LLC for the Quit Claim Deed for the referenced property. Mr. George Grier, Attorney for BHSR, was present and thanked council for their consideration of this request. Mr. Melton stated the property is located at the end of Brentwood Drive to Sharp Street and to Hunter Street and the property was never developed. Mr. Melton stated streets were originally laid out in the 1913 plat but there is no record that the streets were ever developed or became city property. Mr. Melton recommended approval of the Quit Claim Deed for the entire property to show that the city has no claim to any of the property. Mr. Calloway offered a motion to approve the Quit Claim Deed for the entire property and Mr. Wilson seconded the motion. Mr. Grier stated that BHSR would deed the property to Brentwood Place Apartments. Mr. Grier stated that the reason for the request for another Quit Claim Deed is that the 2008 survey was completed after the previous deed was approved. The motion carried unanimously.

PUBLIC HEARING TO AMEND CHAPTER 12 OF CITY CODE TO ADD PROVISIONS FOR PRECIOUS METALS AND GEMS DEALERS

Mr. Melton stated this matter first came before council on February 21st and has been properly advertised in the March 7th and 14th issues of the Reporter. Mr. Melton stated that these amendments do not relate to any other type metals than precious metals and gems. Mayor Pro-Tem Banks opened the public hearing for comments for or against the approval of amendments to Chapter 12 of the City Code. Chief Keith Corley stated that these amendments will allow the police department to regulate the industry in Forsyth and adds the requirements for holding property to allow for identification in theft

cases. Mr. Wilson asked if any comments had been received from local dealers and if the county is adopting a cost along with their ordinance. Mayor Pro-Tem Banks stated that she could not answer the question regarding cost. Mrs. Hall stated that she has not been contacted by any of the local dealers. Mr. Wilson reviewed Section 2(c)(2) of the proposed changes and stated that we currently have more dealers than the ordinance would allow. Mr. Melton stated that those would be grandfathered in but no new business could receive a license. Hearing no further comments for or against the approval of the amendments, Mayor Pro-Tem Banks closed the public hearing. Mr. Hansford offered a motion to approve the amendments as presented to Chapter 12 of the City Code and Mr. Lawrence seconded the motion. Mr. Wilson asked if the additional fee would be charged this year or begin next year and Mr. Melton stated that the ordinance is effective upon adoption, but the existing business owners would have a good argument that they paid what was due on January 1, 2012, and suggested that the fee would be effective with their renewal. Mr. Wilson stated that some businesses are buying the precious metals and gems as a supplement to their core business and this would deter them from doing so. Mr. Melton stated that pawnshops have a similar fee and regulations for registration. Chief Corley reviewed the difference between the pawnshop loaning money for the pawn of the precious metals and the gold buyer buying the precious metal. Mr. Wilson stated that there are reasonable requirements within the ordinance. The motion carried unanimously.

APPROVAL TO ADVERTISE ORDINANCE PROHIBITING THE SELL, DISTRIBUTION OR POSSESSION OF INCENSE OR HERBAL SMOKING PRODUCTS THAT WHEN INGESTED PRODUCE INTOXICATING EFFECTS SIMILAR TO MARIJUANA

Mayor Pro-Tem Banks stated that this proposed ordinance was reviewed by the public affairs committee. Mayor Pro-Tem Banks stated that this material is readily available in our community. Mr. Melton reviewed the proposed ordinance and stated that the preamble of the ordinance includes news articles on the subject. Mr. Melton stated that the copies of the news articles are to be included in the record. Mr. Melton stated that the State Legislature is currently working on legislation for these items. Mr.

Hansford offered a motion to advertise the proposed ordinance. Seconded by Mr. Dodd, the motion carried unanimously.

APPROVAL OF GEMA – HOMELAND SECURITY STATEWIDE MUTUAL AID AND ASSISTANCE AGREEMENT

Mr. Dodd offered a motion to approve and Mr. Hansford seconded the motion. Mr. Wilson stated that this came before the public safety committee at their last meeting and EMA Director, Matt Perry recommends approval of the agreement. Mayor Pro-Tem Banks stated that if the city intends to request a reimbursement from GEMA or FEMA after a disaster, this agreement would have to be in place. The motion carried unanimously.

APPROVAL OF ACCOUNTS PAYABLE INVOICES

Mrs. Hall stated the accounts payable invoices for approval total \$191,547.08. Mr. Dodd offered a motion to approve the accounts payable invoices. Seconded by Mr. Calloway, the motion carried unanimously.

COMMITTEE REPORTS

MR. DODD

Mr. Dodd had nothing further to report from the public works committee.

MR. CALLOWAY

Mr. Calloway thanked the surrounding agencies for their assistance in the fire last night. Mr. Calloway called on Mr. Patrick Wright. Mr. Wright stated that there are rumors that the City ran out of water or were very close to running out of water during the fire and that is not true. Mr. Wright stated that we were nowhere near running out of water. Mr. Wright stated that the water pressure did drop but that is understandable with the amount of water that was being used to put out the fire.

MRS. BANKS

Mrs. Banks stated that work is moving forward on the unincorporated islands project. Mrs. Banks stated that letters were sent out today to three property owners of dilapidated houses.

MR. HANSFORD

Mr. Hansford had nothing further to report from the administrative or telecommunications committee.

MR. WILSON

Mr. Wilson stated that the next public safety committee meeting would be held on the first Tuesday in April at 3:30 pm.

Mr. Wilson stated that the new fire truck should be delivered by the end of the week.

MR. LAWRENCE

Mr. Lawrence thanked those that worked during the fire last night.

Mr. Lawrence stated that the Kynette Park project is moving forward.

CITY ADMINISTRATOR REPORT

Mr. White offered the following report:

- In 2007, Monroe County requested a grant for striping of various streets within the county. Those city streets included are Tift College Drive, Sharp Street, Jones Street, and Frontage Road (in front of KOA). Mr. Calloway stated that Sharp Street would be torn-up during the sewer replacement project. Mr. White stated that the striping would not be done until next year. Mayor Pro-Tem Banks stated that this would include reflectors also. Mayor Pro-Tem Banks asked if the roadways will be repaired by the public works department prior to the striping and Mr. White stated that the public works committee has not reviewed that yet. Mr. Hansford stated that the repairs need to be done before the striping. Mr. White stated that the grant has been awarded and the paperwork needs to be signed. Mr. Hansford offered a motion to authorize the mayor to sign the grant paperwork contingent upon the roadwork being completed prior to the striping work. Seconded by Mr. Wilson, the motion carried unanimously. Mr. Hansford asked Mr. White to coordinate the work prior to the striping work being done.
- Letters will go out to the property owners for the unincorporated island annexation as soon as the signs are printed and delivered. Mayor Pro-Tem Banks stated that the annexations would be done in groups. Mrs. Hall stated that a public stakeholders meeting would be held prior to the public hearings.

CITY CLERK REPORT

Mrs. Hall had nothing further to report.

CITY ATTORNEY REPORT

Mr. Melton had nothing further to report.

ADDITIONAL BUSINESS

Mayor Pro-Tem Banks stated that council previously voted to close Johnston Street for the annual Noodles for Poodles event and that Grits Café is always the caterer for the event. Due to the fire last night at Grits Café, Save A Pet may want to move the event and would need permission to close a different street and for a temporary alcohol permit. Mrs. Hall reviewed that according to city ordinance, council must approve all street closures, and the alcohol permits are location specific. Mrs. Hall asked that council approve to close a street to be determined by the City Clerk and Police Chief as appropriate and to approve the temporary alcohol permit for the same to be determined location. Mrs. Hall stated that this would allow Save A Pet sufficient time to obtain their temporary city alcohol license and the temporary State license before the April 19th event. Mr. Hansford offered a motion to approve a temporary alcohol license with the specific location to be approved by the City Clerk and Police Chief for the Noodles for Poodles event. Seconded by Mr. Lawrence, the motion carried unanimously. Mr. Dodd offered a motion to close the street to coincide with the temporary alcohol license for the Noodles for Poodles event. Seconded by Mr. Hansford, the motion carried unanimously.

Mrs. Becky Cleveland, resident of Harold Hill, came before council to voice concern that the City is not renovating the pool at the Country Club Park, is now pursuing renovating the pool at Kynette Park, and asked for a reason for the change. Mrs. Cleveland stated that the Country Club Park has a good playground area and that she is concerned about the blighted houses in the area around Kynette Park. Mr. Lawrence stated that the City received a grant to refurbish the pool house and playground at Kynette Park. Mrs. Cleveland stated that the pool at Country Club Park does not need much work. Mayor Pro-Tem Banks stated that the renovation of the pool at Kynette Park came about during a discussion with a contractor and Mr. Dodd. The committee discussed the possibility and asked this company to do a feasibility study to see if the pool at Kynette could be renovated. Mayor Pro-Tem Banks stated that the same concept might need to be looked at for the pool at Country Club Park. Mr. Wilson invited Mrs. Cleveland to the next parks/recreation committee meeting. Mr. Hansford stated that the information in the Reporter is incorrect in that the pool at Country Club park has not been

left out of discussion it is just that we are currently working on a grant for Kynette Park and looking at the feasibility of renovating the pool at that park. Mr. Hansford stated that a feasibility study has been done on the pool at Country Club Park.

Mrs. Cleveland thanked the fire department for their work during the fire last night.

Mr. Hansford offered a motion to adjourn into executive session to discuss possible land acquisition. Seconded by Mr. Lawrence, council adjourned into executive session at 8:05 pm.

ADJOURN

Mayor Pro-Tem Banks called the meeting back into open session at 8:20 pm. There being no further business to discuss, the meeting was adjourned at 8:20 pm.

Submitted by:

Janice L. Hall, City Clerk