

MINUTES

FORSYTH CITY COUNCIL MEETING

MARCH 5, 2013

CALL TO ORDER, PLEDGE OF ALLEGIANCE AND INVOCATION

Mayor Howard called the meeting to order at 6:00 pm and lead the Pledge of Allegiance. Mayor Howard then gave the invocation.

ROLL CALL

Present for the meeting was Mayor John Howard, Council members Mike Dodd, JoAnna Banks, James Calloway, Eric Wilson, and Melvin Lawrence. Also present was City Attorney, Bobby Melton; City Administrator, Thomas White; and City Clerk, Janice Hall.

Council member Desi Hansford was unable to attend the meeting; therefore, all unanimous votes will be five (5) votes for.

APPROVAL OF MINUTES OF THE FEBRUARY 19, 2013 COUNCIL MEETING

Mr. Wilson offered a motion to approve the minutes of the February 19, 2013 council meeting as written. Seconded by Mr. Lawrence the motion carried unanimously (voting in the affirmative were Dodd, Banks, Calloway, Wilson, and Lawrence).

PRESENTATION BY CHIEF HERNDON

Chief Herndon presented Firefighter Jason Thomas with the promotion to Sergeant stating Mr. Thomas had passed all parts of promotion testing. Mayor Howard pinned Mr. Thomas with the sergeant bars.

PRESENTATION BY CHIEF CORLEY

Chief Corley presented Mr. Brandon Moore, CVS clerk, with a plaque honoring his bravery and calm manner during the armed robbery at CVS. Mr. Moore was able to keep the situation under control and prevent others from being harmed.

APPROVAL OF CONTRACT WITH ADVANCED DISPOSAL FOR COMMERCIAL AND RESIDENTIAL SOLID WASTE COLLECTION SERVICES

Mr. Wilson reviewed the committee meeting with Advanced Disposal. Mr. Melton has reviewed the contract and offered suggested changes to the contract, which were included in the revised contract. Mr. Wilson stated the contract has a maximum increase for fuel cost of 3% per year. The contract could be approved with or without the fuel change, but Mr. Wilson believes it is safer to include the fuel charge. Mr. Wilson informed council the committee discussed

commercial rates being held at \$18 per dumpster per month. The city currently charges \$30 per month for commercial use. Advanced Disposal will also supply dumpsters around town for commercial use. The target start date is April 1, 2013. Mayor Howard commended the committee on the work done to bring this issue to fruition. Mr. Wilson stated the privatization will benefit all, but will be a change that will require getting accustomed to. Mr. Wilson offered a motion to approve the committee's recommendation to approve the contract with Advanced Disposal. Mr. Dodd seconded the motion. Mr. Melton suggested authorizing the mayor and city clerk to execute the contract on behalf of the city. The motion carried unanimously (voting in the affirmative were Dodd, Banks, Calloway, Wilson, and Lawrence).

PUBLIC HEARING REGARDING LOVERS LANE BEING A ONE-WAY STREET

Mayor Howard opened the public hearing for comments for or against making Lovers Lane a one-way street. Mr. Melton stated this matter has been properly advertised in the February 20th and 27th issues of the Reporter and is proposed to be one-way from Jones Street to Jackson Street. Hearing no further comments, Mayor Howard closed the public hearing. Mrs. Banks offered a motion to approve making Lovers Lane, from Jones Street to Jackson Street, a one-way street. Seconded by Mr. Lawrence, the motion carried unanimously (voting in the affirmative were Dodd, Banks, Calloway, Wilson, and Lawrence).

PUBLIC HEARING ON VARIANCE REQUEST FOR JAMES GREEN AND CREATIVE SOLUTIONS & DESIGN, LLC. FOR USED CAR SALES IN NEIGHBORHOOD SHOPPING DISTRICT – 211 MLK DRIVE – F17 004

Mayor Howard opened the public hearing for comments for or against the approval of the variance request. Mr. Melton stated this matter first came before council on February 5th; has been before the Planning and Zoning board and they recommended approval; and variance request is for used car sales in Neighborhood Shopping District. The property is currently zoned NS and is not asking to change. A sign has been properly posted on the property. Mrs. Hall stated that Mr. Green reported to P&Z that he will only sell passenger vehicles and there will only be four cars on the lot at a time. Hearing no further comments, Mayor Howard closed the public hearing. Mr. Calloway offered a motion to approve the variance. Seconded by Mr. Dodd, the motion carried unanimously (voting in the affirmative were Dodd, Banks, Calloway, Wilson, and Lawrence).

PUBLIC HEARING ON VARIANCE REQUEST FOR LINWOOD HART

Mayor Howard opened the public hearing for comments for or against the approval of the variance request. Mr. Melton stated this matter first came before council on February 5th; has been properly advertised in the Reporter and a sign posted on the property; the Planning and Zoning board recommends approval; and the variance is for a zero side yard setback for the deck. The property is currently zoned TND and the variance will not cause that to change. Mrs. Hall reviewed a letter from Mr. Hart's neighbor opposing the variance. Mrs. Hall reviewed information presented at the P&Z meeting stating Mr. Hart tore down the rotten deck and rebuilt the deck over the property line. Mr. Hart was issued a citation for building the deck without a building permit and for building the deck over the property line. After attending city court Mr. Hart pulled the porch back to the property line. The council discussed the close proximity of the houses. Hearing no further comments, Mayor Howard closed the public hearing. Mr. Calloway offered a motion to approve the variance. Seconded by Mr. Dodd, the motion carried unanimously (voting in the affirmative were Dodd, Banks, Calloway, Wilson, and Lawrence).

PUBLIC HEARING TO ADOPT CHAPTER 25 EMERGENCY MANAGEMENT TO THE CITY CODE

Mayor Howard opened the public hearing for comments for or against the adoption of the ordinance. Mr. Melton stated this matter first came before council on February 5th. Mayor Howard announced corrections were made and a portion of the code relating to the transportation of firearms was removed. The code gives the mayor the authority to declare an emergency. Hearing no further comments, Mayor Howard closed the public hearing. Mr. Wilson offered a motion to adopt Chapter 25 Emergency Management to the City Code. Seconded by Mr. Lawrence the motion carried unanimously (voting in the affirmative were Dodd, Banks, Calloway, Wilson, and Lawrence).

APPROVAL OF AMENDMENT TO CONTRACT FOR PLAYGROUND EQUIPMENT AT KYNETTE PARK

Mrs. Banks reviewed the contract for playground equipment and the Land & Water Conservation Grant. The original contract included rubberized pad/surface, but the construction has run into some drainage issues. Mr. White stated the surface was compacted where the pool was located and recent rain has flooded the area. The company informed the committee a engineer would have to install a drainage system or the warranty would be void due to the

drainage problems in the area. The company has revised the contract and removed the rubberized material and recommends replacing it with wood chip material. This material would have to be replaced every 2-3 years. Mrs. Banks offered a motion to approve the amendment to the contract. Seconded by Mr. Calloway, the motion carried unanimously (voting in the affirmative were Dodd, Banks, Calloway, Wilson, and Lawrence). Mayor Howard stated that he has received questions about a pool in the park area but due to the large size of the playground, a water feature is not feasible.

2013 BUDGET AMENDMENT

Mrs. Hall reviewed the need to reduce the water management line item and create a new line item for lab cost to meet the changes made in the 2013 contract with Utility Partners. Mr. Calloway offered to approve the amendment to the 2013 budget. Seconded by Mrs. Banks, the motion passed unanimously (voting in the affirmative were Dodd, Banks, Calloway, Wilson, and Lawrence).

FORSYTHIA FESTIVAL UPDATE AND REQUEST TO CLOSE KING STREET AT JACKSON STREET ON MARCH 8, 2013

Mrs. Darlene McLendon, Chamber President, introduced Mrs. Anna Beth Shepherd as the co-chair for this year's festival. Mrs. McLendon informed council the festival looks to be a successful year. This year's festival will include 73 arts and crafts vendors, 22 food vendors, and 8 community corner booths. Mrs. McLendon reviewed the events. Mrs. McLendon commended the city and county for their partnership in helping make the festival a success. Mrs. McLendon also asked to close King Street on each side on Jackson Street at 4PM on Friday to help with the flow of vendors. Mr. Calloway offered a motion to approve closing King Street on each side of Jackson Street Friday at 4PM. Seconded by Mrs. Banks, the motion carried unanimously (voting in the affirmative were Dodd, Banks, Calloway, Wilson, and Lawrence).

APPROVAL OF ACCOUNTS PAYABLE

Mrs. Hall stated that there are two PO's greater than \$5,000 for council approval tonight – one is for tasers, which would come from a sole source vendor, and the other is for chemicals for the water/sewer department. There was a discussion regarding bidding out the chemicals and how that should be done, as the vendors will not give bids each month that the orders need to be made. Mr. Melton suggested obtaining pricing quarterly and providing that information to council. Mr. Lawrence offered a motion to approve the purchase orders greater than \$5,000.

Seconded by Mr. Dodd, the motion carried unanimously (voting in the affirmative were Dodd, Banks, Calloway, Wilson, and Lawrence). Mrs. Banks stated that these types of purchases might need to be added to the purchasing ordinance.

COMMITTEE REPORTS

MR. LAWRENCE

Mr. Lawrence informed council that Chief Corley was honored by the Boy Scouts last week.

The Regional Commission is holding an open house Wednesday morning at 8:30AM.

The police and fire departments are ready for the Forsythia Festival.

MR. WILSON

Mr. Wilson began by reviewing the Public Works committee meeting held earlier in the day.

Mr. Wilson also informed council of the changes made to the inert landfill law, but ensured everyone the changes would not affect the city's inert landfill. The public works committee is having the project surveyed and will be contracting with Coleman and Associates to do the work.

MR. CALLOWAY

Mr. Calloway stated that each council member was previously provided with a capital projects list. Mr. Calloway offered a motion to give Mr. Alvin Randall and Mr. Pat Wright the authority to get pricing for the top five (5) projects on the list. Mr. Dodd seconded the motion. Mrs. Banks inquired to whether these prices would be rough estimates. Mr. Calloway agreed the prices would be rough estimates, stating this was to update previous prices obtained over two years ago. The motion carried unanimously (voting in the affirmative were Dodd, Banks, Calloway, Wilson, and Lawrence).

MRS. BANKS

Mrs. Banks informed council the park/recreation/cemetery committee is in the process of gathering data on playground and park projects to determine which park to move to once the Kynette Park is completed.

The Tree Board is working on a plan for an arboretum.

Mrs. Banks is still planning a cleanup day for the parks, but the weather is not cooperating.

MR. DODD

Mr. Dodd informed council the work for a new city zoning map and dilapidated housing project continues.

Mr. Dodd stated the solid waste chapter in the city code would need updating now that the city is contracting with Advanced Disposal for solid waste pickup and disposal.

CITY ADMINISTRATOR REPORT

Mr. White announced the Streetscape Phase III environmental documents have been submitted to the EPD.

Mr. White informed the council the Interceptor Sewer line project is moving rapidly and the permit to cross the creek will expire March 18, 2013. If the contractor cannot make the crossing by the deadline, they will pull-off and make the crossing and then tie the line in when they reach it rather than trying to get an extension on the permit.

The Railroad returned the documents for a typographical corrections last week. Those errors were corrected and returned the next day.

CITY CLERK REPORT

Mrs. Hall reported that the check was received today from G-DOT for the 2013 LMIG project. Mrs. Hall stated that this money would show as a separate line on the daily report until the project is complete.

Mrs. Hall reported that the annual online registration for the GMA Conference was completed today.

Mrs. Hall thanked Mrs. McClendon for attending the meeting to review the Forsythia Festival events. Mrs. Hall encouraged everyone to attend.

CITY ATTORNEY REPORT

Mr. Melton had nothing further to report.

MAYOR'S REPORT

Mayor Howard announced that he was very excited about the upcoming Forsythia Festival and the BHT concert on Friday March 8th at 6:30PM.

Mayor Howard will extend an invitation to the festival to regional mayors. The next regional mayor's quarterly meeting will be held in Forsyth in April.

Mayor Howard expressed the need for a proactive approach to economic development and code enforcement. The police department will help the code enforcement aspect as they have officers with experience in the situation.

Mayor Howard announced a Wellness Plan for all employees is being put into place. The city is looking into become self-insured this year as well as looking at each invoice to establish which cuts can be made.

Mayor Howard expressed the need for committee retreats.

ADDITIONAL BUSINESS

Mr. William Calloway, Advanced Disposal, announced the garbage would be taken to their landfill

ADJOURN

There being no further business to discuss, the meeting adjourned at 7:25PM.

Submitted by:

Janice L. Hall, City Clerk