

## **MINUTES**

### **FORSYTH CITY COUNCIL MEETING**

**SEPTEMBER 3, 2013**

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

Mayor Howard called the meeting to order at 6:00 pm and led the Pledge of Allegiance. Mr. Lawrence gave the invocation.

#### **ROLL CALL**

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

#### **APPROVAL OF MINUTES OF THE AUGUST 20, 2013 COUNCIL MEETING**

Mr. Wilson offered a motion to approve the minutes of the August 20, 2013 as written. Seconded by Mr. Lawrence, the motion carried unanimously (voting in the affirmative was Dodd, Banks, Wilson, and Lawrence).

#### **CITY ENGINEER REPORT – CARL HOFSTADTER**

Mr. Carl Hofstadter, City Engineer, reviewed meeting recently held with State Representatives, County Commission representatives, and the County Development Authority regarding future plans for water service to the city and county. Mr. Hofstadter reviewed the current city requirements and capabilities of plant. Mr. Hofstadter reviewed three options for the city to consider for future water supply: 1) study capacity of Tobesofkee Reservoir; 2) withdrawal from Lake Juliette with agreement of Georgia Power; and 3) research possibility of obtaining 6 mgd permit for withdrawal from Ocmulgee River. After discussion regarding the three options presented, Mr. Hofstadter recommended holding a meeting with the county to pursue reactivating the 6 mgd withdrawal permit. Mayor Howard stated that he would speak with Commission Chairman Bilderback to see if a meeting could be scheduled. There was discussion regarding the status of the permit and how likely it would be that the EPD reissue the permit. Mr. Hofstadter stated that unrestricted permits are not usually given up and he is not sure how the EPD will handle the request. Mr. Dodd asked about treatment of the water and Mr. Hofstadter reviewed how the water treatment plant could be upgraded to handle additional the additional water especially if the permit is used to only keep the

reservoir full. Mr. Hofstadter stated that the first thing to be done is make application to the EPD to see if they will even consider reissuing the permit. Mrs. Banks stated that if county agrees to go with city to apply for the 6 mgd permit, the EPD may give less than the 6 mgd and hold the balance of the permit for future needs and Mr. Hofstadter agreed and stated that the city and county would need to go to the EPD as a group and not just the city requesting the permit. Mrs. Banks stated that the argument could be that the city needs additional water because we have no capacity to fill an economic development project. Mr. Hofstadter agreed and stated that you go by peak days and need to keep in mind fire fighting for over 3 hours could drastically reduce the city water capacity. Mr. Dodd asked if the permit is still valid for Rocky Creek and Mr. Hofstadter stated that it is. Mr. Wilson stated that the meeting with the county be scheduled as soon as possible and all agreed.

#### **APPROVAL TO HIRE DISPATCHER FOR POLICE DEPARTMENT**

Major George Foster and Chief Keith Corley came before council to review the need to combine two part-time dispatch positions in to one fulltime dispatch position. Mrs. Banks stated that the change to fulltime would require benefits. Mr. Wilson offered a motion to approve the request. Mr. Lawrence seconded the motion. Mr. Dodd asked if the change to fulltime would require a change to the budget for benefits. Mrs. Hall stated that the fulltime investigator was terminated and those benefits were budgeted through the end of the year. Chief Corley stated that he is advertising that position within the department only so those budgeted benefits could be used for the new fulltime position. The motion carried unanimously (voting in the affirmative was Dodd, Banks, Wilson, and Lawrence).

#### **MAGGIE JACKSON**

Ms. Maggie Jackson came before council to review electrical problems she recently experienced at her house on Sharp Street. Ms. Jackson stated that the city workers pulled the wire away from the side of the building they use for storage and requested that it be repaired. Ms. Jackson also reviewed the need to clean up Sharp Street stating that there is a lot of kudzu growing on vacant properties and the sidewalks are in bad need of repair.

## **APPROVAL OF ACCOUNTS PAYABLE INVOICES**

Mr. Wilson reviewed invoices for each department for a total of \$177,652.84. Mr. Wilson offered a motion to approve the accounts payable invoices. Mrs. Banks seconded the motion. Mrs. Banks stated that the employees are doing a good job keeping within the hiring and spending freeze in place. Mrs. Banks reviewed YTD figures for 2012 compared to YTD figures for 2013. Mrs. Banks stated that if we had to balance the budget today we would be \$107,000 short overall. Mr. Wilson stated that a rate increase now would not fix this year's problem. There was additional discussion as to how to correct the problem long-term. The motion carried with three (3) votes for (Banks, Wilson, and Lawrence), one (1) abstention (Dodd due an invoice for business owned by his wife being included in the totals), and Mayor Howard cast the fourth (4) affirmative vote.

## **CITY ADMINISTRATOR REPORT**

The city administrator offered the following report:

- Inert Landfill Project – Michael Biers, Harbin Engineering, reviewed that we originally bid out in June but cost was well above projections so project was rebid and those bids were opened on August 7; low bid was \$120,000 from Griffin Folsom for parts 1 & 2 of the RFP with the city performing parts 3 & 4; Roberts Timber submitted a lower bid but did not use the proper format so their bid was rejected; Mr. Biers stated that a cost estimate of parts 3 & 4 has not been worked up yet; EPD has given city an extension until end of 2013 to complete the project; there was discussion regarding the cost of the project and where the funds would come from to pay for the project; Mrs. Banks stated that the Insurance Premium check is usually received in mid-October and those funds could be dedicated to funding this project. Mrs. Banks offered a motion to approve Griffin Folsom base bid for parts 1 & 2 only and use the Insurance Premium check to fund the project. Seconded by Mr. Dodd, the motion carried unanimously (voting in the affirmative was Dodd, Banks, Wilson, and Lawrence).
- Harris, Kimball, and Adams streets as oneway – Mr. White has asked Atkins to get pricing for a traffic study; Mr. Wilson stated that in light of the current financial situation do not need to use money to do a study; Mrs. Banks requested

that Mr. White obtain cost of doing a study and include that cost in next years budget

- Highway 41 Cemetery sign – waiting on Barnesville Marble to make the replacement sign
- City Hall roof – Lee Hamilton, Roofcore, recently made some repairs to the roof at no charge
- Cable problems – having problems with several channels not working properly; will need to spend money to get them fixed; prebid meeting on September 19<sup>th</sup> and bids due on October 3<sup>rd</sup>; Mr. Dodd stated that the problem with the channels is that the two satellites need to be replaced and they will cost approximately \$16,000
- Mr. Dodd asked for a report on the power outage this morning and Mr. White stated that the power was knocked off at the substation but could not find the cause of the outage; Mr. Alvin Randall stated that when a major circuit is out as it was this morning, the electric department must ride the line to make sure all is clear before reenergizing the circuit to prevent major damage; Mr. Randall stated that the cause of the outage has not yet been determined
- Mrs. Banks asked when the speed limit sign on Juliette Road will be replaced and Mr. White stated that he will find out
- LMIG – work should begin this week

#### **CITY CLERK REPORT**

Mrs. Hall offered the following report:

- Reviewed the preliminary figures received from Mrs. Lori Andrews, County Tax Commissioner, for the 2013 millage rate
- Mrs. Tonia Mays has requested that the public hearing for the application for beer and wine package for Pansy's be postponed until the October 1<sup>st</sup> council meeting

#### **CITY ATTORNEY REPORT**

Mr. Melton offered the following report:

- LOST – reviewed process to-date of filing application stating arbitration judge found in favor of county distribution, city appealed to Georgia Supreme Court and they said did not involve due process issue so transferred to Court of Appeals

- which was denied in a one sentence denial, appealed that decision and the Court considered for several weeks but last week denied right to file appeal, and we will now file appeal to Georgia Supreme Court; all efforts are trying to get to appeal; Mr. White stated that we currently collect approximately \$100,000 per month so a 6% decrease in LOST over 10 years would equate to approximately \$3 million.
- Cemetery deed – the family of Ms. Janice Rogers recently found an unmarked grave of an infant child and she has requested that a deed to Lot 15 be issued to the family; Mr. White stated that Lot 15 includes eight spaces. Mrs. Banks asked if we assume that they paid for the lot at the time of the funeral and Mr. Melton agreed. Mrs. Banks offered a motion to present a deed to Lot 15 to the descendants of infant child family, Janice Rogers. Mr. Lawrence seconded the motion. Mr. Dodd asked for further explanation and Mr. White stated Lot 15 has eight burial spaces and Ms. Rogers is requesting those be deeded to the family for their use. Mr. White stated that it is Ms. Rogers understanding that the lots were purchased back in 1943 at the time of the infant’s death. The motion carried unanimously (voting in the affirmative was Dodd, Banks, Wilson, and Lawrence).

### **MAYOR’S REPORT**

Mayor Howard had nothing further to report.

### **ADDITIONAL BUSINESS**

Mr. Fred Dungan, 430 Sunset Terrace, asked if there is a known reason for the water shortage and Mr. Wilson stated that Mrs. Banks was reviewing a comparison report showing revenues and expenses comparing this summer to last summer and it was much hotter and drier last summer. Mr. White stated we use history as comparison and water usage is way down. Mr. Dungan stated that there is a nationwide push to conserve water so there is a price to be paid for the conservation.

Mr. Fred Dungan also stated that there are quite a few running for city council and stated that he believes that signs are not supposed to be placed on public right-of-way. After a brief discussion, council requested that staff send a letter to all candidates advising them that signs cannot be placed on city right-of-way.

**EXECUTIVE SESSION**

Mr. Dodd offered a motion to adjourn into executive session for the purpose of discussing personnel and pending litigation matters. Seconded by Mr. Lawrence, the motion carried unanimously and council adjourned into executive session at 7:40 pm.

Mayor Howard called the meeting back into open session at 8:20 pm.

**ADJOURN**

There being no further business to discuss, the meeting was adjourned at 8:20 pm.

Submitted by:

Janice L. Hall, City Clerk