

MINUTES

FORSYTH CITY COUNCIL MEETING

MARCH 18, 2014

CALL TO ORDER, PLEDGE OF ALLEGIANCE, AND INVOCATION

Mayor Howard called the meeting to order at 6 PM, and lead the Pledge of Allegiance. Mr. Melton gave the invocation.

ROLL CALL

Present for the meeting were Mayor John Howard, Councilmembers Mike Dodd, Julius Stroud, Greg Goolsby, Jimmy Jones, and Melvin Lawrence. Also present were City Attorney, Bobby Melton; City Administrator, Thomas white; and City Clerk, Janice Hall.

Councilman Eric Wilson was out of town and unable to attend the meeting; therefore, all unanimous votes will be five (5) votes (Dodd, Stroud, Goolsby, Jones, and Lawrence).

APPROVAL OF MINUTES

Mr. Lawrence offered a motion to approve the minutes. Seconded by Mr. Jones, the motion carried unanimously.

PUBLIC HEARING FOR THE JOINT COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION

Mr. White reviewed the application and introduced Ms. Kristi Harpst, Regional Commission. Ms. Harpst reviewed the Community Development Block Grant (CDBG) application stating that this is for water improvements in the Bibb Mill Village area (to include Langston Avenue, Vining Street, Shaw Avenue, Ensign Drive, and Circle Street); The Regional Commission is facilitating on the City's behalf; joint application with Monroe County due to area being outside the city limits and the area receives their water service from the City; applying for water improvements due to inadequate water for public safety and is a critical need; application is due by April 2nd and will be reviewed for 5 to 6 months before grant awards are made; if awarded the grant, construction estimated to being in the fall of 2015; surveying residents in the area to ensure that the income requirements are met; city to provide a 10% match (\$50,000). Mayor Howard opened the public hearing for comments for or against moving forward with the application. Hearing no comments, Mayor Howard closed the public hearing. Ms. Harpst requested that everyone in attendance sign the "sign-in sheet" in the lobby. Ms. Harpst stated that the county held their public hearing this morning.

APPROVAL OF RESOLUTION TO SUBMIT AN APPLICATION TO DCA UNDER THE JOINT CDBG FOR WATER IMPROVEMENTS

Mr. Goolsby offered a motion to approve the Resolution to submit an application to DCA for the CDBG for water improvements in the Bibb Mill Village area. Mr. Stroud seconded the motion. Ms. Harpst stated that the Resolution provides for authorization for Mayor Howard to sign all necessary documents for the application. The motion carried unanimously (voting in the affirmative was Dodd, Stroud, Goolsby, Jones, and Lawrence).

PUBLIC HEARING FOR VARIANCE REQUEST FOR MARK DAVIS – 491 EAST LAKE DRIVE – TO INSTALL A FENCE

Mr. Melton reviewed the variance application stating this was reviewed by Planning & Zoning and they recommend denial of the variance; properly advertised in the Reporter and a sign was posted on the property; variance is for a chain link fence in R-2 Zone for parcel F07 059; no change will be made as to the zoning; fence has been partially erected; and is before council tonight for public input and final consideration by council. Mayor Howard opened the public hearing for comments for or against the variance request. Mr. Mark Davis, property owner, addressed council and stated that he started this undertaking several months ago; stated that his address is 491 East Lake Drive; has ongoing problem with his neighbors dog; fencing-in vacant lot; requested inspector contact him about the fence and waited 30 days on three separate occasions; stated that council does not have any say in the matter as he is withdrawing his application and no longer owns the property in question; presented letter to council stating withdrawal. Mr. Melton stated that Mr. Davis has presented withdrawal so no action is needed and reviewed letter of withdrawal of variance request and transfer tax form transferring F07 060 on Country Club Drive to Carolyn Davis. Mr. Davis left the meeting. Mayor Howard asked what affect the transfer of the property has on the fence and Mr. Melton stated that the fence must come down as not permitted. Mr. Lawrence asked what took so long for a response to Mr. Davis and Mr. White stated that he just found out about this matter six weeks ago. Mr. Goolsby asked who informs the new owner and Mr. White stated that he would verify that property has been transferred and contact new owner.

LORAIN KHOURY – STREET CLOSINGS FOR 2014 MAINSTREET EVENTS

Mrs. Khoury, Mainstreet Director, requested street closing for all 2014 events and provided a list of the events to council. Mr. Dodd offered a motion to approve the street closings and Mr. Goolsby seconded the motion. Mr. Jones asked that all business owners be contacted in the affected areas and

Mrs. Khoury stated that she makes contact with them before each event. The motion carried unanimously (voting in the affirmative was Dodd, Stroud, Goolsby, Jones, and Lawrence).

REQUEST TO CLOSE WEST ADAMS STREET BETWEEN JACKSON AND PHELPS ON APRIL 5, 2014 FOR GALLERY 51 EVENT

Mr. White reviewed the request stating that the Lamar County High School will hold their prom at Gallery 51 and have requested the street in front of the building be closed from 8:15 pm to 9:15 pm to allow for the lead-out. Mr. Goolsby offered a motion to approve the request. Seconded by Mr. Dodd, the motion carried unanimously (voting in the affirmative was Dodd, Stroud, Goolsby, Jones, and Lawrence).

REQUEST TO HOLD HABITAT FOR HUMANITY 5K FUN RUN AND WALK ON AUGUST 23, 2014 BEGINNING AT MORSE STREET AND CLOSE MORSE STREET FROM INDIAN SPRINGS TO JACKSON STREET

Mr. White reviewed the application. Mr. Dodd stated this is a fundraiser held by First Baptist Church for Relay for Life. Mr. Stroud stated that he participated in the event last year and it was very well attended. Mr. Stroud offered a motion to approve the request. Seconded by Mr. Lawrence, the motion carried unanimously (voting in the affirmative was Dodd, Stroud, Goolsby, Jones, and Lawrence).

ELECTRIC CITIES OF GEORGIA CONTRACT – ECONOMIC DEVELOPMENT

Mr. White reviewed meeting held last week with Electric Cities of Georgia (ECG) where they briefed the public utilities committee on Economic Development and what ECG can do to assist the city. Mr. White stated the addition of this service to our ECG contract would be \$2,300 per month for a 2-year agreement. Mr. Goolsby offered a motion to add Economic Development to the ECG contract and Mr. Stroud seconded the motion. Mr. Dodd asked if the annual amount is the same as the previous rate and Mr. White stated that cost would be adjusted with the ECG 2015 budget. Mr. White stated that ECG provides an eclectic engineer when needed. Mr. Jones requested that Mr. White review why this is needed and Mr. White stated ECG will perform analytical services for new businesses coming to Forsyth, economic development briefed by ECG but new contract will have all services. Mr. Jones asked if ECG has any success stories in Forsyth for Economic Development and Mr. White stated they were instrumental in bringing Encore here. The motion carried unanimously (voting in the affirmative was Dodd, Stroud, Goolsby, Jones, and Lawrence).

BRENTWOOD APARTMENTS DEVELOPMENT ENCROACHMENT AGREEMENT

Mr. Melton reviewed information included in council packets regarding this matter and stated the sign for Brentwood Place Apartments encroaches on city right-of-way by 3 to 4 feet. Brentwood Place Apartment owners contacted Mr. Melton for encroachment agreement. Mr. George Grier, attorney for Brentwood Place Apartments, addressed council and stated that the development is complete and 100% leased. Mr. Grier stated that during the as-built survey it was uncovered that the sign encroaches on city right-of-way and does not encroach on city sidewalk or street. Mr. Grier stated that his client cannot obtain the property but through the Encroachment Agreement, are requesting permission to use the property. Mr. Melton stated that the Encroachment Agreement calls for a \$100 permit fee. Mr. White stated that this is a nice sign and compliments the neighborhood and recommended approval of the agreement. Mr. Goolsby asked how the sign was erected on city right-of-way and Mr. Grier stated that it is mostly the sign overhang and not the entire sign. Mr. Melton stated that the sign pedestal does not encroach city property. Mr. Jones offered a motion to approve the Encroachment Agreement. Seconded by Mr. Stroud, the motion carried unanimously (voting in the affirmative was Dodd, Stroud, Goolsby, Jones, and Lawrence). Mr. Melton stated this is a permitted use.

APPROVAL OF BUDGET MOVES FOR 2013

Mrs. Hall stated that all departments in the general fund budget must be at or below their overall budget amounts and reviewed three (3) departments that require budget moves to be in compliance for the 2013 audit. Mrs. Hall stated that the moves do not affect the actual line item budgets.

APPROVAL TO ADVERTISE PUBLIC HEARING FOR GREASE TRAP ORDINANCE

Mr. Goolsby stated that the public relations committee reviewed this ordinance and offered a recommendation from the committee to advertise a public hearing for the adoption of the ordinance. Mr. Melton stated this would be advertised for the second meeting in April. The motion carried unanimously (voting in the affirmative was Dodd, Stroud, Goolsby, Jones, and Lawrence).

APPROVAL TO ADVERTISE PUBLIC HEARING FOR STREET NAMING/RENAMING ORDINANCE

Mr. Goolsby stated that the public relations committee reviewed this ordinance and offered a recommendation from the committee to advertise a public hearing for the adoption of the ordinance. Mr. Melton stated this would be advertised for the second meeting in April. The motion carried unanimously (voting in the affirmative was Dodd, Stroud, Goolsby, Jones, and Lawrence).

APPROVAL TO ADVERTISE BLIGHTED PROPERTY ORDINANCE

Mr. Goolsby stated that the public relations committee reviewed this ordinance and offered a recommendation from the committee to advertise a public hearing for the adoption of the ordinance. Mr. Melton stated this would be advertised for the second meeting in April. The motion carried unanimously (voting in the affirmative was Dodd, Stroud, Goolsby, Jones, and Lawrence).

APPROVAL OF ACCOUNTS PAYABLE INVOICES

Mrs. Hall reviewed the invoices for approval by department; all invoices for approval total \$267,786.92, which includes \$84,125.42 for Utility Partners that will be paid when funds are available. Mr. Dodd offered a motion to approve the accounts payable as presented. Seconded by Mr. Stroud, the motion carried unanimously (voting in the affirmative was Dodd, Stroud, Goolsby, Jones, and Lawrence).

Approval of purchase orders over \$5,000

HD Supply Waterworks - Water meters for Route 22 - \$49,350 (SPLOST)

HD Supply Waterworks - Water meters for Route 24 - \$17,625 (SPLOST)

Mayor Howard requested that the approval of these two purchase orders be tabled to allow HD Supply Waterworks to attend the public utilities committee meeting to make a presentation.

Cox Industries - Restock wood utility poles - \$5,709.12

City of Marietta – emergency crews - \$7,317.82

Tri-State Technical Services – washer extractor - \$6,484

Gresco Utility – material for electrical installation on Railroad Ave - \$7,438.88 (SPLOST)

Mr. Dodd offered a motion to approve the purchase orders over \$5,000. Mr. Stroud seconded the motion. Mr. Jones asked if an invoice has been received from the other city yet and Mrs. Hall stated that she and Mr. Randall have contacted their counterparts at the City of Blakely and requested an invoice but one has not yet been received. The motion carried unanimously (voting in the affirmative was Dodd, Stroud, Goolsby, Jones, and Lawrence).

CITY ADMINISTRATOR REPORT

Mr. White offered the following report:

- Railroad Avenue project officially began today and should be complete within 120 days
- FEMA approve the city and county for reimbursement of cost from ice storm
- Mr. Scott Bogulski presented information at the last council meeting regarding recycling of scrap wire and Mr. White reviewed that two payments were received in 2012 and 2013 for a total of \$400 from Mr. Omanzie Hogan and this practice has stopped and we are now taking all scrap

material to the recycling centers. Mr. White stated the other instances that Mr. Bogulski referred to were payments received from the recycling center. Mr. Stroud asked if there is a paper trail for this information and Mr. White stated that it is.

- Mr. Dodd asked if all debris from the recent storms has been picked up and Mr. White stated that all should be picked up by the end of the month. Mr. Goolsby asked if the grapple truck is back in service and Mr. White stated that it is.

CITY CLERK REPORT

Mrs. Hall had nothing further to report.

CITY ATTORNEY REPORT

Mr. Melton requested clarification on the amendment to the utility ordinance. Mayor Howard stated that we need a definition of “extenuating circumstances” that is included in the ordinance. Mr. Goolsby stated that this has not been approved to advertise, just need help with writing the ordinance.

Mr. Dodd asked Mr. Melton if the memorandum of lease is legally binding and Mr. Melton confirmed that it is, further stating that this is normally what is recorded rather than the full lease. Mr. Dodd asked if the lease does not show up would there be penalties and Mr. Melton stated that the long-term lease has the penalties included and both the long-term and short-term leases have been signed by both parties. Mr. Dodd asked difference between a Memorandum of Understanding and Memorandum of Lease and Mr. Melton stated that a MOU is prior to a formal contract and a MOL is already a contract. Mr. Dodd asked if the MOL is a legally binding agreement and Mr. Melton stated that it is.

COMMITTEE REPORTS

PUBLIC UTILITIES COMMITTEE

Mr. Lawrence offered the following report:

- Committee meeting will be held on April 3rd at 8:30 am
- South Interceptor project will resume within 30 days
- Railroad Avenue project began today
- Inert Landfill project is 98% complete
- LMIG is in process; Mr. Dodd stated that Frontage Road was the 2014 LMIG project and the county is resurfacing that roadway so new roadway needs to be approved. Mr. White stated public works committee will meet on March 25th to discuss this.
- Interstate 75 light repair is out for bid

ADMINISTRATIVE COMMITTEE

Mr. Jones offered the following report:

- Committee meeting yesterday and reviewed all items discussed since he took office, will meet again in two weeks to finalize some information, and will then bring information to council.

PUBLIC RELATIONS COMMITTEE

Mr. Goolsby offered the following report:

- Three ordinances approved for advertising from committee
- Thanked Mrs. Jo Anna Banks and Mrs. Loraine Khoury for the previous work

PUBLIC SAFETY COMMITTEE

Mr. Stroud offered the following report:

- Next committee meeting will be April 7th at 9:00 am
- Fire department held house burn training this week
- Police department had firearm training this week
- Both departments were visible at the Forsythia Festival

PARKS/RECREATION/CEMETERY COMMITTEE

Mr. Dodd offered the following report:

- Next committee meeting will be March 25th at 9:30 am and reviewed topics of discussion for the meeting

MAYOR'S REPORT

Mayor Howard stated that a complaint was made regarding the Reporter receiving free cable and based on the information received from Mrs. Hall, basic service was provided to the Reporter in exchange for an advertisement for the cable system. Mayor Howard stated that this was a joint venture for exchange of service. Mayor Howard stated that the agreement has been discontinued. Mayor Howard stated that the former mayor received a courtesy cable account from 2009 through January 2012.

ADDITIONAL BUSINESS

There was no additional council business for discussion.

PUBLIC COMMENTS – MAYOR HOWARD TO REVIEW RULES FOR PUBLIC COMMENTS

Mayor Howard stated that public comments will be limited to four (4) minutes each, and speaker must state their name, address, concern, and refrain from personal confrontation. Mayor Howard stated that any questions raised will be answered at the next council meeting.

James Green – 73 Blount Street – asked if the ordinance for renaming streets is for Harris Street and Mayor Howard stated that we are adopting the ordinance so that we will have guidelines in place. Mayor Howard stated that we need to have ordinance in place first to govern how streets are renamed. Mr. Green asked if streets were previously renamed, it was just done without an ordinance, and Mayor Howard agreed. Mr. Jones stated that this was first petitioned in fall of 2013 and Mr. Green withdrew his request at that time; do not see anything that will holdup Mr. Green’s request. Mr. Green stated that there are several blighted areas across from his home and asked if those areas are included in the Blighted Property Ordinance. Mr. Melton stated that the ordinance does not specify specific areas just how to handle blighted properties. Mr. Green asked how he could get a specific area looked at and Mayor Howard asked him to make an appointment with Mr. White to discuss. Mr. Melton stated that the public hearing for adoption of the ordinance should be held during the second council meeting in April. Mr. Green asked if there is any teeth in the ordinance and Mr. Goolsby stated that there are new state standards and this will allow us to do more than just write citations. Mr. Green asked if the drainage issue from Brookwood Heights is being addressed and Mr. White stated that it is. Mayor Howard asked that Mr. Green schedule an appointment with Mr. White to discuss these issues.

Ronald Bearden – 441 Sunset Circle – thanked Mr. White for emails responding to questions he had submitted. Mr. Bearden stated that there is an advertisement running in the Reporter for Streetscape for work to be performed on East Johnston from Lee Street to Railroad Street. Mr. White stated that is a typographical error that should be Railroad Avenue not Railroad Street. Mr. Bearden asked if this is Phase III, where was Phase I and Phase II and Mrs. Hall stated that Phase I and Phase II were combined for the work done on the square. Thanked council for looking into repairing the lights on I-75. Mr. Bearden stated that he will be submitting Open Records Requests for how spending tax dollars.

William Arthur Calloway – 205 Solomon Street – limbs have not been picked up on Solomon, Hill, or Milledge Circle and several other streets around the city have been picked up twice. Mr. Calloway stated that the mail carrier will not deliver mail to one address due to limbs piled up around the mailbox. Mr. Calloway stated that all communities need to be served, not just parts. Mr. Calloway stated that the way the pickup is being organized is not the right way to do it and it should have started in one location and worked around the city from there.

Jimmy Jones – councilmember – city does a terrible job of putting out information and need to update website daily as to what we are doing. Mr. Jones stated that we could have put information on

the website during the power outages to let people know what was going on. Mr. Stroud asked what percentage of the storm cleanup is complete and Mr. White stated approximately 90%. Mr. Stroud stated that his neighborhood was picked-up yesterday and Mr. Calloway asked how many times his neighborhood has been picked up, Mr. Stroud stated this was the first time. Mr. Calloway stated some areas picked up twice. Mr. Stroud requested that Mr. White give updates on where we are at each meeting. Mayor Howard stated that we can update any information on the website, we just need to provide the information that we want updated.

Mr. Redding – requested that potholes on MLK at Union Hill Drive and Kynette Street be repaired.

ADJOURN

There being no further business to discuss, the meeting was adjourned at 7:30 pm.

Submitted by:

Janice L. Hall, City Clerk