

The Council of the City of Villa Rica met in a regular scheduled meeting on Tuesday, February 7, 2006 in the Council Chambers at 101 Main Street, Holt-Bishop Justice Center, Municipal Courtroom. Those present were Mayor J Collins, Councilmembers Perry Amidon, Verland Best, Danny Carter, Joey Kelley and Woody Holland; City Manager Robert Zellner, City Clerk Jane Chastain and City Attorney David Mecklin. Approximately 53 people were in attendance.

Collins called the meeting to order at 7:00 p.m. The invocation was given by Kelley. All recited the pledge of allegiance.

The minutes from the January 3, 2006 meeting were approved as presented.

Best appointed Kurt Kraft as a Planning and Zoning Commissioner. Collins administered the oath of office.

Zellner asked that the agenda item concerning utility billing and on-line bill paying be tabled until the April meeting since funding for this would be incorporated into the FY2006-2007 budget. Kelley moved to table until April, seconded by Best. Motion carried 5/0.

Collins initiated the Occupation Tax discussion. Zellner said there are potentially three options and that Carter and Best have recommended the third option which is to go from two classes of Standard Industrial Codes (SIC) to five classes. Carter said SIC classes are determined by the profitability ratio of the specific categories with Class 1 being the least profitable and Class 5 being the most profitable. He presented a comparison of rates with surrounding government entities and noted that Option 3 would put the rate between that of the smaller and larger agencies. Carter moved to replace the existing Occupation Tax Rate with a five class system using rates progressing from .0002 for Class 1 to .0006 for Class 5. Kelley seconded the motion. After discussion on when the new rate would become effective, January 1, 2006, motion carried 5/0.

Zellner informed Council that he had just received some new information concerning the contract with the Carroll County Water Authority and asked them to table this item until the next meeting so that he could research this further. Carter moved to table the contract until the March meeting, seconded by Best. Motion carried 5/0.

Zellner presented the February 2006 "Employee of the Month" choice, Derald Bryant, Operator I with the Utilities Distribution Department. Zellner praised Bryant's positive work ethics and easy going disposition. Bryant was present to accept the award. Collins also praised Bryant for his cheerful willingness to do a job well, repairing water leaks and taking care of other utility emergencies at any hour of the day or night.

Zellner presented a proclamation naming February 2006 as Black History and Heritage Month in Villa Rica. Carter moved to accept the proclamation, seconded by Best. Motion carried 5/0.

Zellner presented a proclamation naming the week of February 6 – 10, 2006 as National School Counseling Week in Villa Rica. Best moved to accept the proclamation, seconded by Carter. Motion carried 5/0.

Zellner presented a request from the Golden City Cruisers to move their monthly “cruise” from Candler and Wilson Streets to Main Street. Dallas Mize, president of the Golden City Cruisers, addressed Council to clarify the proposed location which would not obstruct access to the Police Department. Carter moved to approve the request, seconded by Best. Motion carried 5/0. Holland clarified a portion of the request which stated that if the Main Street location did not work out, the GC Cruisers wanted to return to the present location. Council agreed that was not a problem.

Bill Taylor of the Downtown Development Authority addressed Council with a request that the City teardown the old library building, which is currently being used as a clinic by the Health Department, and install parking spaces. Council discussed the current use and whether the Health Department might be relocated. Council also discussed a property line irregularity which would have to be addressed and, to that end, Zellner had been instructed to have the City’s property surveyed so that the correct boundaries are discerned. Council decided to take no action at this time and requested that the DDA master plan be made available to Council before any decision is made.

Taurus Freeman, Planning and Zoning Manager, informed Council that the agenda item concerning RA-18-05, a request to rezone approximately 4.15 acres between Westview Drive and Pine Street had been postponed by the Planning and Zoning Commission due to a property line dispute. Best moved to table this item until the boundary line dispute is settled, seconded by Kelley. Motion carried 5/0.

Freeman presented RA-01-06, a request to rezone 1.31 acres on the north side of South Carroll Road, west of the Spring Street intersection from R-20 (Single-family Residential) to OI (Office-Institutional) for the construction of professional office buildings. The P&Z Commission recommended approval with five conditions as follows: 1) Planning & Zoning Staff shall approve a site plan prior to the issuance of any permits. 2) All new buildings shall be constructed or clad with materials that are durable, economically-maintained, and of a quality that will retain their appearance over time, including, but not limited to, natural or synthetic stone; brick; stucco; integrally-colored, textured, hardiplank or glazed concrete masonry units; textured, pre-stressed concrete systems approved by the Community Development Director; or glass. 3) The lighting shall be downcast with no spill over. 4) The exterior of the structure shall maintain a residential appearance; any major modification of the exterior shall be approved by the Planning & Zoning Staff. 5) Signage shall be monument based with a maximum height of five-feet (5’) and 16 square feet of signable area. 6) City Council amends Future Land Use Map and Comprehensive Plan to reflect the change in zoning. Staff had recommended denial because the request does not comply with the Future Land Use Map that designates the subject property for residential land uses. Applicant Charles Skinner, 5187 Liberty Road, addressed the Council to provide details and answer their questions. Collins opened the floor for public comment. There being none, the floor was closed. Council discussed the noncompliance with the Future Land Use Map and the Comprehensive Plan. Holland moved to approve the rezoning as presented and the future use map and Comprehensive Plan be modified to show commercial development on both sides of Carroll Road up to Interstate 20, seconded by Kelley. Mecklin said the change to the Comprehensive Plan and Future Land Use Map needs to be advertised before action can be taken. After further discussion, Holland amended his motion to say “approve the rezoning as presented”. Kelley still seconded. Motion carried 5/0. Holland requested this to be placed on the March agenda so that Council could discuss the amending of the plan use and the Comprehensive Plan to decide on land usage for

South Carroll Road to I-20. Mecklin said changes to these plans will have to go before the Planning and Zoning Commission first. Holland asked Freeman to place this on their agenda as well.

Freeman presented a request for a renewal of an alcoholic beverage license for the Taste of China Restaurant at 214 West Montgomery Street. Holland verified that the background check was clear then moved to accept as presented, seconded by Carter. Motion carried 5/0.

Zellner presented ORD-06-03-ADM, an amendment to the Code chapter numbering which would move ANIMALS from Chapter 4 to Chapter 14 and OFFENSES from Chapter 14 to Chapter 4 to unify the various animal control ordinances with Carroll County and the Cities of Villa Rica and Carrollton. Carter moved to adopt, seconded by Best. Motion carried 5/0.

Zellner presented a one year agreement between Carroll County and the Cities of Villa Rica and Carrollton to allow Carroll County Animal Control, when issuing tickets within the City limits, to prosecute in Magistrate Court or State Court. Fines in such cases would go to the County; however citations issued by City personnel would still be prosecuted in Municipal Court. Amidon moved to authorize the City to enter into the agreement, seconded by Carter. Motion carried 5/0.

Zellner presented a request for Council to determine the July meeting date since the first Tuesday falls on the July 4th holiday and the Planning and Zoning application schedule is hinged upon the Council meeting dates. After a brief discussion, Kelley moved to set the July meeting date for the following Tuesday, July 11, 2006, seconded by Holland. Motion carried 5/0.

Mecklin presented an amendment to the GME Benefit System agreement, the City's retirement administrator. When the terms were amended last year to seven years vesting, the minimum weekly hours requirement for eligibility was changed from twenty hours to thirty hours. This move disenfranchised one long time employee who had gone from full time to part time several years ago and was still participating in the retirement plan. This employee is the only part time employee who had been eligible to participate at the time of last year's amendment. Mecklin said this new amendment would only affect this one employee and would grandfather him into the retirement plan. Zellner said the thirty-hours-per-week eligibility applies in all other instances. After a brief discussion, Carter moved to adopt the amendment, seconded by Best. Motion carried 5/0.

Eric Lacefield, Community Development Director, presented a contract for the installment of real estate directional signs in kiosks by National Sign Company. National Sign Company representative Scott Tripp addressed the Council and informed them that the City would receive a revenue of \$10.00 per month per panel from these kiosks. After a discussion on benefits and problems with this system, Council decided to have staff seek other bids or quotes from similar vendors to see if a better program exists. Best moved to table any decision until these bids can be obtained, seconded by Holland. Motion carried 5/0.

Zellner presented a contract with Coca-Cola to install, at the Sports Complex, one football scoreboard, eight baseball scoreboards, and move one other scoreboard from the high school. Coca-Cola would also maintain these scoreboards and the City would agree to exclusively sell their products at the facility. Zellner said Recreation manager

Jeff Reese has contacted Pepsi and Buffalo Rock but neither was interested. Best moved to authorize the contract, seconded by Amidon. Motion carried 5/0.

Chief of Police Michael Mansour presented an agreement document which would be between the City and Wal-Mart concerning the precinct office, or substation, on the Wal-Mart premises. The precinct has been at that location for several years but no agreement was ever signed. After a brief discussion, Carter moved to authorize the agreement, seconded by Holland. Motion carried 5/0.

Lacefield presented a proposal on utility tap fee increases to facilitate the Capital Improvement Project ten-year projection. Council discussed the need for funding the improvements listed, including water and sewer line replacements and upgrades to the Wastewater Treatment Plants. No official action was taken.

Zellner presented seven items for Payments over \$5,000. The Requisitions were presented as follows: 1) Kesco - \$7065.50 – replacement pump for the Club Bay Lift Station. 2) Ebara Motor & Gear Engineering - \$6360.00 – replacement pump for McCurdy Road Lift Station. 3) Hewlett Packard - \$5822.00 – 42" color printer for plans and other large jobs, to be used by both Planning & Zoning and the Recreation Department. 4) Georgia Turf & Tractor - \$19,482.00 – two three-wheel, utility-vehicle field rakes for athletic field preparation and maintenance. 5) Carrollton Office Equipment - \$8666.20 – Emergency replacement of the City Hall copier. 6) Huntleigh Bus - \$41699.00 – Senior Citizens walk-in van. 7) JTF Mobile Service Inc. - \$6955.77 – for repairs to the bucket truck. Carter moved to accept the seven requisitions for payment as presented, seconded by Amidon. Motion carried 5/0.

Zellner asked Council if they would entertain an amendment to the agenda to hear a request by Chief Mansour to surplus vehicles. Kelley moved to so amend, seconded by Amidon. Motion carried 3/2 with Carter and Holland opposing.

Mansour presented the Council with a list of vehicles he wanted to surplus in order to change to a fleet system. Mansour said he wanted to downsize the number of vehicles from 45 to 29 total vehicles and eliminate take-home vehicles for patrol officers. Command Staff, CID and the K-9 vehicles would not be fleet. Mansour said some of the vehicles could be sold to other agencies complete with the law enforcement packages they now have. Others would have to be sold at auction with no LE equipment. Mansour said he was bringing this before Council because he was told that he had to do it this way since Council has already ruled on allowing take-home vehicles for officers living within ten miles of the City. Carter reminded Mansour that the police chief reports to the city manager and the city manager reports to the Council. Mansour acknowledged this. Holland said he did not see where the Council should make a decision at this meeting on selling vehicles when that action not only was not advertised but completely changes the decision by Council last year. Council decided to put this item on the March agenda. Collins asked about the deadline for including items on a council agenda. City Clerk Jane Chastain told him it is noon on the Wednesday before the council meeting.

Collins opened the floor for public comment. Mike Gill, 465 Daniel Road, thanked council for a town hall meeting and commented on using impact fees vs. tap fees. He also suggested that Council limit vendor presentations at public meetings and initiate a committee to meet with vendors before public meetings.

Mike Williamson, 3411 Doe's Court, asked if city officials were getting their e-mails because he has sent e-mailings which were returned as undeliverable. He also asked why the bridge at Mirror Lake has not been adopted by the City. Collins said that was still under research. Williamson said the agreement with Wal-Mart was more beneficial to Wal-Mart. He said increased tap fees would discourage lawn watering. Williamson asked about the speed humps and said that Douglas County would have put it to a residents' vote. Council told him they approved three to be put in and planning was underway for installation.

Fray Thompson, 3413 Doe's Court, criticized Council for not asking for public input on an item at a past meeting. He asked if the City has a City Engineer. He also criticized communication on the web site.

With no further comments the floor was closed.

Carter moved to adjourn to Executive Session to discuss the acquisition of real estate and personnel issues, seconded by Amidon. Motion carried 5/0. Council adjourned at 9:25 p.m.

Carter moved to return to regular session, seconded by Best. Motion carried 5/0. Returned to regular session at 10:25 p.m.

Best moved to approve the action taken in Executive Session which was to authorize the City Manager to negotiate with the owner of certain real estate located within the City for the possible purchase of the property for public purposes. Any and all negotiations were to be within specific guidelines established by the City Council. Any final action concerning the potential purchase would have to be considered by the Council in open session. Carter seconded. Motion carried 5/0.

With no further business, Amidon moved to adjourn, seconded by Kelley. Motion carried 5/0. Council adjourned at 10:30 p.m.

J Allen Collins - Mayor

ATTEST:

Robert Zellner – City Manager