

The Council of the City of Villa Rica met in a regular scheduled meeting on Tuesday, March 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 33 people were in attendance.

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

Collins asked those present to extend condolences to Administrative Assistant Reedell Saxon on the passing of her father Doyle Saxon last week.

Collins announced that two items had come about after the agenda was set and requested Council consider amending the agenda to include item 10a, the presentation of a Georgia State House of Representatives Resolution in memory of the late Councilmember Dorothy Jeane Williams, and item 11a, a resolution naming April as Confederate History and Heritage Month. Best moved to so amend the agenda, seconded by Kelley. Motion carried 5/0.

The minutes from the February 7, 2006 special called meeting, the February 7, 2006 regular meeting and the February 27, 2006 budget workshop were approved as presented.

Zellner presented the revised contract with the Carroll County Water Authority which has been reviewed by the City Attorney. Carter moved to authorize the mayor to enter into the contract on behalf of the City, seconded by Holland. Motion carried 5/0.

Community Development Director Eric Lacefield presented a staff proposal of three options concerning a possible commercial corridor along South Carroll Road between the downtown area and Interstate 20 at the request, last month, of Council. Holland asked if this proposal has been before the Planning and Zoning Commission [P&Z]. Lacefield said the proposal was not completed in time to present at the last P&Z meeting. Council instructed staff to present the proposal to the P&Z Commission before Council considers any further actions. Amidon mentioned that "Sunset Rd" on the zoning map should be corrected to "Thomas Dorsey Blvd".

Police Chief Michael Mansour presented two proposals on police vehicle disposals:

The first was a request to sell, to other agencies or at public auction, seven vehicles which were either seized or bought with seizure funds. Proceeds from the sales would be deposited into the appropriate seizure account. Zellner pointed out that two of the vehicles had already been transferred to general fund so the proceeds would go back to that account. Carter moved to authorize the sell of these vehicles. After a brief discussion, Holland seconded. Motion carried 5/0. Council asked Mansour to look into selling some of the vehicles to other City departments before selling to other agencies or at public auction.

The second proposal was to change to a fleet system and sell nine older, high mileage vehicles. Mansour said this, plus the sell of the seized vehicles, would downsize the fleet from 45 vehicles to 29 vehicles. Patrol vehicles would be divided between day and night shifts and would be shared by two officers working different shifts. Three of these vehicles would be replaced with new vehicles in the next budget

year and sold according to policy. Any accessory equipment on vehicles to be sold would be evaluated for usefulness to the City before any sale. After further discussion, Carter moved to accept the Chief's recommendation and allow him to arrange his fleet as he sees fit. Council discussed the 100,000 mile warranty that comes with the vehicles. Carter amended his motion to add that the police department will keep vehicles until they have reached 100,000 miles to take advantage of the warranty. Kelley seconded the motion. Motion carried 5/0. Best pointed out that vehicle and equipment disposal is a day-to-day routine operation and should go through the City Manager without Council involvement. Council agreed. Best asked that an item be placed on the April agenda concerning a policy on take-home vehicles.

Zellner presented the March 2006 "Employee of the Month" choice, Patrol Officer Greg Rampy. Rampy was selected in part for apprehending an escaped prisoner from Clayton County and for rescuing a three year old girl who had wandered away after being left unattended at her home. Rampy was present to accept the plaque and \$50.00 check. Mansour also praised Rampy for his upbeat attitude and work ethics. Mansour described Rampy as a leader and expects him to go far within the department.

Collins presented a request to appoint Ted Williamson to the Downtown Development Authority Board to replace Robert Woodall. Holland motioned to accept, seconded by Carter. Motion carried 5/0. Williamson was not present and will be administered the Oath of Office at a later time. Council asked for a correction on the DDA application concerning the three requirements in that at least one of the requirements must be met rather than implying that all three must be met, which is not possible. Collins instructed Zellner to take care of that.

Collins presented a proclamation to honor the memory of Lance Corporal Samuel Wayne Large, Jr. who was killed during maneuvers for Operation Enduring Freedom. Carter moved to accept the proclamation, seconded by Kelley. Motion carried 5/0. Collins also read a resolution presented by Representative Tim Bearden to the Georgia House of Representatives also honoring the memory of Lance Corporal Large and presented the family with a copy of the resolution and a flag which flew over the State Capital on February 20, three days after the death of Sam Large, Jr.

Collins read a resolution [HR1516] presented by Representative Tim Bearden to the Georgia House of Representatives expressing regret at the passing of Dorothy Jeane Williams, long time Councilmember and youth sports advocate, on January 8, 2006. Collins presented a copy of the resolution to Ms Williams' son Chris Williams and a copy to the City to be framed.

Collins presented a proclamation in support of LifeLink of Georgia, an organ and tissue recovery organization, naming April, 2006 as National *Donate Life* Month in Villa Rica. Carter moved to accept the proclamation, seconded by Amidon. Motion carried 5/0.

Collins presented a proclamation naming April 2006, and every April, as Confederate History and Heritage Month in Villa Rica. Carter moved to accept the proclamation, seconded by Holland. Motion carried 5/0.

Collins presented a resolution to prohibit the transfer of funds from reserve accounts to general operating accounts without appropriate public hearing and notice and Council's formal approval. Collins said this resolution was present at his request. Best asked if the resolution were necessary since City Code already addresses this. After some

discussion, Holland moved to approve the resolution, seconded by Kelley. Motion carried 5/0.

Lacefield presented RA-02-06, a request to rezone approximately 2.7 acres at 318 Westview Drive from R-20 (Single-family Residential) to CR (Commercial Residential) for the purpose of renovating the existing two story dwelling into professional offices. Lacefield said the applicant, Nitec Enterprises, plans to return the exterior of the old Powell house as closely as possible to the original condition. The P&Z Commission recommended approval with seven conditions as follows: *1) P&Z Staff shall approve a site plan prior to the issuance of any permits. 2) The lighting shall be downcast with no spill over. 3) The exterior of the structure shall maintain a residential appearance; any major modification of the exterior shall be approved by the P&Z Staff. 4) There shall be no awning, banner, illuminated, mobile, or roof signs. 5) Signage shall be monument based, with a maximum height of five-feet (5') and 16 square feet of signable area. 6) Any additional buildings on site shall be approved by the P&Z Commission and City Council prior to issuance of any permits. 7) The property shall be used for professional offices only.* Staff also recommends approval. Michael Anthony, project manager for Nitec Enterprises, addressed the Council to provide details and answer their questions. Collins asked if the property would still be known as the Powell House. Anthony said there were no decisions yet on a name. Collins opened the floor for public comment. Addie Whitmarsh, 160 Sunny Lane, asked that the applicant seriously consider keeping the Powell name affiliated with the property. There being no other comments, the floor was closed. Holland asked if this rezoning is compatible with the Future Land Use Map. Lacefield acknowledged it is. Collins asked Mecklin if the Council could add a requirement that the Powell name stay with the property for historical purposes. Mecklin said that requirement could not be legally binding but Council could recommend or request it. Carter moved to approve the application with the seven stipulations recommended by the P&Z Commission and to request that the applicant retain the Powell House name, seconded by Amidon. Motion carried 5/0.

Lacefield presented RA-03-06, a request by the City to rezone property at 226 E Wilson Street which was erroneously rezoned June 1, 2004 from Commercial Residential (CR) to Light Industrial (LI). Staff later determined that the property had previously been zoned Office/Institutional (O/I), not CR and is surrounded, on three sides, by O/I zoned property. Lacefield said the current property owner could continue to operate his wreckage service yard there as a "legal" nonconforming business and would not be affected as long as that person owned the property. New owners or a different type of business would have to be in compliance with the O/I zoning. Collins opened the floor for public comment. There being none, the floor was closed. Holland moved to approve the application, seconded by Amidon. Motion carried 5/0.

Zellner presented the first reading of the Fiscal Year 05/06 Budget. Collins opened the floor for a public hearing. There being no comments, the floor was closed. Carter commended the City Manager for presenting a balanced budget without using reserve funds. Zellner thanked the department managers for their help in keeping the budget conservative.

Zellner presented a request for approval of the low bidder, Stevenson & Palmer Engineering, for proceeding with engineering on the downtown/railroad park. Zellner said approximately \$250,000 in funds, including SPLOST funds, have been set aside for the complete project. The initial engineering project bid from Stevenson & Palmer is

\$30,000. Best moved to accept the low bidder of Stevenson & Palmer for \$30,000, seconded by Amidon. Motion carried 5/0.

Zellner presented the bids for the engineering of sanitary sewer improvements and implementations on the expansion of the West Wastewater Treatment Plant. Initially seven engineering companies had submitted bids, five were interviewed and two were chosen for final submittals of engineering and design quotes once the City obtained the final specifications. Of the two final quotes, Rindt-McDuff was the low bidder with \$599,995. After a brief discussion, Holland moved to authorize the City Manager to enter into a contract with Rindt-McDuff once the City Attorney has approved the contract, seconded by Carter. Motion carried 5/0.

Zellner presented three items for Payments over \$5,000. The requisitions were as follows: 1) Cedarstreams, \$16,875, for 500 baseball and softball uniforms. Carter motioned to approve the low bidder, Cedarstreams, but not to exceed \$17,000, seconded by Holland, carried 5/0. 2) B & B Signs of West GA, \$6,725, for renovation of the old Centerfield's Park marquee sign. Carter motioned to approve, seconded by Kelley, carried 5/0. 3) Garrett, Stephens, Thomas & Fazio, PC, not to exceed \$26,500, for the City's FY05/06 audit. Kelley moved to approve, seconded by Carter, carried 5/0.

Collins opened the floor for public comment. Mike Gill, 465 Daniel Road, asked for the results of the Home Depot traffic study. Gill asked about property he heard the City was to buy. Mecklin said no such contract has been entered into.

Grace Bravy, 143 Berkley Drive, ask if the Council would consider lowering the age for senior water and sewer discounts from 65 to age 62. She also asked about the difference in time from her water meter reading until the bill arrives.

Jeff Robinson, 158 Tapley Road, also 118 E Wilson Street, said he owns the property next to the Health Clinic and it does not matter to him if the City does or does not tear down the Clinic building for parking spaces as long as vehicles do not interfere with his property or parking.

Mike Williamson, 3411 Doe's Court, asked why he cannot get information about why the City has not adopted the bridge on Shoreline Parkway. Collins said an explanation letter will be sent to him next week. Williamson also issued a complaint against the trains regularly blocking the crossings at Conner Road and Cleghorn Street.

Fray Thompson, 3413 Doe's Court, asked for side walks to be installed on Shoreline Parkway.

Billy Bearden, 799 Harrison Road, Mt Zion, thanked Council for passing the Confederate History proclamation.

With no further comments the floor was closed.

Mecklin announced that Clark, et al, vs. City of Villa Rica has been settled.

With no further business, Carter moved to adjourn, seconded by Amidon. Motion carried 5/0. Council adjourned at 8:55 p.m.

J Allen Collins - Mayor

ATTEST:

Robert Zellner – City Manager